

ALASKA LEGISLATURE

1287

HOUSE and SENATE FINANCE COMMITTEE FILES, 1995-1996

1993 DRIVERS IN TRAFFIC CRASHES

Age Group	1993 Licensed Drivers	% Of Licensed Drivers	1993 Crash Drivers	% Represented in Total Crashes
< 16	1	0.0%	75	0.3%
16-20	24,310	6.2%	3,257	12.8%
21-25	41,861	10.6%	3,195	12.6%
26-30	48,780	12.4%	2,919	11.5%
31-35	57,756	14.7%	3,123	12.3%
36-40	58,506	14.9%	2,902	11.4%
41-45	50,586	12.8%	2,416	9.5%
46-50	37,471	9.5%	1,622	6.4%
51-55	25,819	6.6%	1,094	4.3%
56-60	17,226	4.4%	733	2.9%
61-65	12,396	3.1%	490	1.9%
66-70	8,979	2.3%	370	1.5%
71 +	10,236	2.6%	439	1.7%
Unknown	4	0.0%	2,740	10.8%
Totals	393,931	100.0%	25,375	100.0%



U.S. Department
of Transportation
National Highway
Traffic Safety
Administration

Region X
Alaska, Idaho, Oregon
Washington

3140 Jackson Federal Building
915 Second Avenue,
Seattle, Washington 98174

March 21, 1995

Honorable Joseph Green
Alaska State Legislature
State Capitol
P.O. Box V
Juneau, Ak. 99811

Dear Representative Green:

I would like to express my gratitude and complete support for your commitment to traffic safety, particularly Graduated Driver License System for Alaska's youth. Your legislative package is well thought out and timely. I am confident that when passed, it will have very positive results in Alaska.

Enclosed is some information compiled by NHTSA for perusal of all concerned. It is encouraging to know that traffic safety is a high priority with you. Please include us as enthusiastic supporters and partners, and allow us to help in any way we can.

Cordially,

Curtis Winston
Regional Administrator



FACT SHEET

April 1994

STATE LEGISLATIVE

Graduated Driver Licensing System

The United States Department of Transportation's National Highway Traffic Safety Administration (NHTSA) believes that state graduated driver licensing systems for young drivers can materially reduce crashes, injuries and deaths. A graduated driver licensing system is a multi-tiered program designed to ease young novice drivers into the driving environment. It is implemented through controlled exposure to progressively more difficult driving experiences or driver licensing stages, prior to full licensure.

Graduated/Provisional Driver's License Systems Work

Under this system, novice drivers are required to demonstrate responsible driving behavior (no convictions or crashes for a specified period) in each stage of licensing before advancing to the next level. For example, there may be a six-month learning stage and one-year intermediate stage prior to gaining full driving privileges. Currently, 13 states have multi-tiered or graduated driver licensing entry systems. They are: California, Colorado, Indiana, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, Oregon, Pennsylvania, Vermont, Utah, and West Virginia.

In 1977, NHTSA published a "model" entry level licensing program, Development of a Model System for Provisional (Graduated) Licensing of Novice Drivers: Final Report. The Maryland Department of Motor Vehicles then implemented and evaluated portions of a provisional licensing concept. Their program showed a five percent reduction in

crashes and a 10 percent reduction in traffic convictions for 16- and 17-year old provisional licensed drivers.

California's provisional licensing program became operational on January 1, 1983. The California Department of Motor Vehicles reported, December 1988, that there is evidence that the provisional licensing system reduced the rate of crashes involving 15-17 year-old drivers by 5.3 percent. In 1991, the Oregon Motor Vehicle Division reported that their program reduced crashes 16 percent for male drivers under age 18 with provisional licenses. New Zealand implemented a graduated licensing system in 1987 and reported in 1992 that the program has had a continuous 8 percent crash reduction for drivers under age 25.

NHTSA, in cooperation with the American Association of Motor Vehicle Administrators (AAMVA), completed in 1989 the development of "An Improved Driver Entry System for Young Novice Drivers." It is part of the AAMVA/NHTSA "Guidelines for Motor Vehicle Administrators" series of publications. The purpose of this proposed graduated driver licensing system, based upon the NHTSA "model" entry system, is to ease young novice drivers, under more controlled conditions, into the driving environment. This is achieved by (1) increasing the amount of their behind-the-wheel driving practice, (2) increasing their exposure to progressively more difficult driving experiences, and (3) requiring novice drivers to earn their full driving privilege by demonstrating crash and conviction free driving performance prior to full licensure.

U.S. Department of Transportation



National Highway Traffic Safety Administration

Graduated vs. Provisional Licensing Programs

The terms "graduated" and "provisional" licenses have been used interchangeably in past years, but they are very different programs.

Provisional License: A provisional driver's license is issued to all drivers under a certain age, for example the age of 21 (or 18), and includes persons operating during the learning or intermediate licensing stages. At a minimum, the provisional license is distinctively different from a regular driver's license to facilitate enforcement of licensing and drinking age laws. The provisional licensee is subject to an illegal per se BAC level of zero percent and quicker driver improvement actions. All occupants of a motor vehicle being operated by them must occupy only seats designed for passengers and use available seat belts (i.e., no passengers riding in the cargo compartment of a pickup truck).

Graduated Driver Licensing System: Based upon research and the experience of the States, a graduated driver licensing system has at least three stages: learner stage; intermediate stage(s), and full license stage. It includes some or all of the following features:

- (1) Successful completion of a basic driver education course and required a learner's permit for a specified period of behind-the-wheel training.
- (2) A second level driver education program (e.g., safe driving decision making skills) after the new drivers have acquired basic driving skills.
- (3) Require that a parent, or adult licensed driver age 25 or older, supervise basic driving practice and advance practice sessions during high risk (nighttime) hours.
- (4) Lower legal blood alcohol concentration (e.g., zero BAC) requirements for under age 21 drivers.
- (5) Nighttime driving restriction (e.g., no driving from 10:00 pm to 6:00 am) either as part of an intermediate licensing stage, or as a post-licensing driver improvement action.
- (6) More rapid driver youth-oriented improvement actions for accidents and violations.

- (7) Mandatory safety belt usage by all occupants and limitations on the number of passengers in a motor vehicle being operated by a teenager.
- (8) Demonstrated safe driving performance, i.e., having no crashes or convictions for a specified period of time prior to advancing to the next licensing stage (e.g. one year prior to full licensure).
- (9) Issue a provisional license to all drivers under the age of 21 that is distinctive from the regular driver's license (e.g. marked "PROVISIONAL," different colored photo background).
- (10) Require all suspended or revoked drivers being restored for traffic safety violations to be placed in a provisional driver's license program.

While many states are already implementing some features of the graduated/provisional licensing entry system, none is implementing a major portion of the features proposed. There is a need for States to review their novice driver programs in light of the California, Maryland, New Zealand and Oregon findings. We recommend that States seriously consider implementing a young driver graduated licensing system designed to ease young novice drivers into the driving environment. NHTSA and AAMVA can provide, at no cost to the states, technical planning and implementation assistance; also, limited financial assistance may be available to plan, implement and evaluate a state's program.

Key Facts

- In 1992, it was estimated that 40 percent of all deaths for people ages 15 to 20 (over 6,500), resulted from motor vehicle crashes.
- Young drivers represent 7 percent of the total driving population, but represent 14 percent of the drivers involved in fatal crashes.

- Young drivers are four times more likely to be in a crash than an adult, per mile driven.
- Few of the specific elements of a graduated or provisional licensing system have been documented to reduce crashes. However, the California, Maryland, New Zealand, and Oregon systems reduced the rate of crashes involving 15-17 year-old drivers.
- The National Highway Traffic Safety Administration (NHTSA) is responsible for providing assistance to states, other government and public organizations to support efforts designed to promote improvement of traffic safety for the public.

Resources

NHTSA has established, through a grant to the American Association of Motor Vehicle Administrators (AAMVA), funds to support a cadre of experts to assist states, without cost, interested in aspects of a graduated licensing system. These persons can provide expert testimony and technical planning, implementation and evaluation assistance. Should you desire additional information or assistance, contact your Governor's Representative for Highway Safety; the appropriate NHTSA Regional or National Office, or AAMVA Regional and Headquarter's staff.

Model Graduated Licensing System*

<i>Learner Stage*</i>	<i>Intermediate Stage</i>	<i>Full Licensure</i>
✓ Pass Knowledge I & Vision Tests	✓ Pass SRJIS I Test	✓ Provisional License*
✓ Take Basic Driver Education	✓ Compete Basic Driver Education	✓ Clean Driver Record
✓ Restricted Driving Parent/Driver Education Supervision	✓ Take Advanced Driver Education	✓ Complete Advanced Driver Education
✓ Parent I Activity	✓ Nighttime Restriction** Supervisor Age 25+	✓ Pass Knowledge II & Skills II Tests
✓ No Passengers	✓ Parent II Activity	✓ Parent Certification
✓ Speed/Road Limits	✓ Limited Passengers	
	✓ Clean Driver Record	
	✓ Speed/Road Limits	

* A Provisional Driver's License is issued to all drivers under age 21, to problem drivers reaching a certain negligent point threshold, and/or to problem drivers being reinstated after license suspension/revocation actions, regardless of age. Such license would be subject to the following conditions:

- Distinctively different from other driver licenses
- Illegal per se 0.0 BAC level
- Mandatory seat belts for all occupants
- Quicker driver improvement actions
- Clean /Driving record for one year
- Nighttime restriction**

Also, a Provisional Driver's License would be issued to problem drivers reaching a certain negligent point threshold and to problem drivers, regardless of age, being reinstated after a driver improvement suspension/revocation actions.

** Nighttime restriction can be a condition of the intermediate phase and/or as a condition of the provisional license issued as a post licensing driver improvement activity problem for drivers who have demonstrated irresponsible driving performance.

Resources (con't)

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Additional Sources of Information

*Copies of the following material are available
upon request:*

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**GRADUATED DRIVER LICENSING SYSTEM
QUESTIONS AND ANSWERS**

This paper provides basic information about graduated driver licensing for young novice drivers. While many states have driver licensing programs which have features prescribed for a graduated licensing system, none have adopted a major portion of these features. We hope the following information will assist you in the consideration of legislation for a graduated driver licensing system and/or adoption of its various features.

1. What is a graduated driver licensing system?

A graduated driver licensing system is a multi-tiered program designed to ease young novice drivers into the driving environment through controlled exposure to progressively more difficult driving experiences or driver licensing stages, prior to full licensure. Under this system, novice drivers are required to demonstrate responsible driving behavior (no convictions or crashes for a specified period) in each stage of licensing before advancing to the next. For example, a 6 months learning stage and one year for the intermediate stage prior to gaining their full driving privilege.

2. Why a graduated driver licensing system?

Teenage drivers are over represented in traffic crashes, in fact they are twice as likely to be in a fatal crash as the average driver. The graduated driver licensing system addresses the driving problems attributed to this group by traffic safety experts: (1) driving inexperience and lack of adequate driving skills; (2) excessive driving during high risk hours, especially nighttime; (3) risk-taking; and (4) poor driving judgment and decision making. It is believed that considerable driving experience is required before young drivers achieve dependable driving know-how, skill, and judgement.

3. What is the purpose of a graduated driver licensing system?

The purpose of a graduated driver license system is to ease young novice drivers, under controlled conditions, into the driving environment by (1) increasing the amount of their behind-the-wheel driving practice, (2) increasing their exposure to progressively more difficult driving experiences, and (3) requiring them to earn full driving privileges by demonstrating crash and conviction free driving performance.

-2-

4. What evidence is there to indicate that a graduated driver licensing system will reduce young driver crashes?

In 1987 New Zealand implemented a graduated licensing system and reported in 1992 that the program continues an 8 percent crash reduction for drivers (drivers under age 25) in the program has resulted. The Maryland Department of Motor Vehicles implemented in 1979, and evaluated portions of the graduated licensing concept. The Maryland program showed a five percent reduction in crashes and a 10 percent reduction in traffic convictions for 16 and 17 year old provisional licensed drivers.

The California Department of Motor Vehicles reported, in December 1988, that there is evidence their provisional licensing system, implemented January 1, 1983, reduced by 5.3 percent the rate of crashes involving 15-17 year-old drivers. In 1991, the Oregon Motor Vehicle Division reported that their Provisional Licensing Program implemented in 1989 reduced crashes 16 percent for male drivers 16 and 17 years old with provisional licenses.

5. What are the features of a graduated licensing system?

Based upon research and the experience of the States a graduated driver licensing system is a multi-staged licensing system (learner stage, intermediate stage(s), and full license stage) which includes some or all of the following features:

- (1) Successful completion of a basic driver education course and require a Learner's Permit for a specified period of behind-the-wheel training.
- (2) A second level driver education program (e.g., safe driving decision making skills) after the new drivers have acquired basic skills.
- (3) Require that a parent, or adult licensed driver age 25 or older, supervise basic driving practice and advance practice sessions during high-risk (nighttime) hours.
- (4) Lower legal blood alcohol concentration (e.g. zero BAC) requirements for under age 21 drivers?
- (5) Nighttime driving restriction (e.g. no driving from 10:00 pm to 6:00 am) either as apart of an intermediate licensing stage, or as a post-licensing driver improvement action.
- (6) Youth-oriented and more rapid driver improvement actions for accidents and violations.

-3-

- (7) Mandatory safety belt usage by all occupants and limitations on the number of passengers in a motor vehicle being operated by a teenager.
- (8) Demonstrated safe driving performance, i.e., having no crashes or convictions for a specified period of time prior to advancing to the next licensing stage (e.g. one year prior to full licensure).
- (9) Issue a provisional license to bridge the gap between a learner's permit and full licensure all drivers under the age of 21 which is distinctive from the regular driver's license (e.g. Marked "PROVISIONAL," different colored photo background).
- (10) Require all suspended or revoked drivers being restored for traffic safety violations to be placed in a provisional driver's license program (see Q&A No. 7 below).

6. What is a provisional driver's license?

A provisional drivers license is issued to all drivers under the age of 21 (or 19) and includes persons operating during the learning or intermediate licensing stages. It is distinctively different from a regular driver's license to facilitate enforcement of licensing and drinking laws and the driver would be subject to an illegal per se BAC level of zero percent and quicker driver improvement actions. All occupants of a motor vehicle being operated by a provisional licensed driver must occupy seats designed for and use available seat belts (i.e., no passengers riding in the cargo compartment of a pick-up truck).

7. What is a provisional driver's license program?

This is a new proposal taken from an early draft of the High Risk Driver Act of 1993 and provides "that any driver whose driving privilege has been restored after license suspension or revocation resulting from a traffic safety violation shall be required to enter the provisional license program and 1) successfully complete, no at-fault accidents nor convictions, a period of not less than one year (supervised nighttime driving practice, a night driving restriction between the hours of 12:00 p.m. and 6:00 a.m., unless supervised by an adult at least 25 years of age with a clean driving record), 2) subject to immediate suspension upon conviction of any moving traffic violation, and 3) deemed to be driving while intoxicated with a blood alcohol concentration of .02 percent or greater. A waiver may be granted by appropriate state authority for applicants to drive during the nighttime restricted period for purposes of work or school."



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Beginning Drivers' Crashes Differ

As a group, teenage drivers have high crash rates per mile driven. What isn't so widely known is that the problem is worst among 16-year-olds, the age when most beginners get licenses. If a teen in your household is licensed, or about to be, this information is for you.

Crashes involving 16-year-old drivers aren't like those involving older drivers. They even differ from crashes involving drivers only a year or two older. For one thing, 16-year-olds get in trouble trying to handle unusual driving situations, even small emergencies. More often than when older people drive, such situations turn into disasters. The essential problem is that the young people bring both inexperience at the wheel and the immaturity of their 16 years to the complex task of driving.

In 1993, a total of 1,269 people died in crashes involving 16-year-old drivers. The deaths break down like this: 454 drivers 16 years old died; 447 passengers died — 367 teens, 80 people of other ages; 281 people died in other vehicles — that is, they struck or were struck by the vehicles driven by the 16-year-olds; 66 deaths were pedestrians; 21 were other/unknown.

How, exactly, do 16-year-olds' fatal crashes differ?

• **Driver Error:** It's one thing to learn how many crash deaths involve 16-year-old drivers. But are the beginning drivers culpable in their crashes? Do we too quickly assume errors by beginning drivers? The short answer is that our assumptions are correct. Much higher proportions of 16-year-olds are responsible for their fatal crashes, compared with older drivers. Eighty-two percent of 16-year-old drivers in fatal crashes during 1993 made at least one driving error that contributed to the crashes. This compares with 62 percent of drivers 20-49 years old.

Speeding: This thrill-seeking behavior shows up again and again. Police reports indicate that 37 percent of all 16-year-old drivers in fatal crashes during 1993 were reportedly speeding or, if not exceeding the limit, going too fast for road conditions. This proportion drops steadily with age — only 23 percent of drivers

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"I wonder where John is?" Sandra Tucker thought, checking her watch. It was nearly 6 p.m., time for John to be home for supper. But her son never made it to the table. Driving home from his after-school job in Hartwell, Georgia, 16-year-old John had been having a little fun with a teenager in another car. "I hate to say racing, but that's what they were doing," Sandra says, when John plowed into a tree at 85 mph. "I had no idea he'd ever do anything like that." After all, John was in the National Honor Society and was listed in *Who's Who Among American High School Students*.

When it happened, "I was across the street at my neighbor's," Sandra says. "My other son was home by himself, and my husband came up to the [accident] scene. The law and ambulance and cars were backed up everywhere. John was still in the car. They had covered him with a sheet . . . When the sheriff's car pulled up with Ronnie [Sandra's husband], I just couldn't imagine what in the world was going on. Ronnie started screaming my name. He just screamed at me that John was dead. That's how I found out."

From then on, "the night was just a blur. I remember sitting in my rocking chair, freezing to death. I tell you when you go into shock your blood pressure drops real low, and your body temperature drops. I was freezing. I must have had the heat up to 90 degrees . . . and I was wrapped in blankets, just shaking.

"Right away, I went to counseling. I went to someone I could scream at. I had a good friend I worked with, and her pastor is at First Baptist. I went in my first day back at work, and I was completely in tears. She said, you get yourself to that phone, and you call Dr. Kirby [at First Baptist Church] right now. And just like a little child, I went to the phone and called him. I started seeing him, and I saw him for about a year. He kept me straight. He kept me assured I wasn't going insane, that every feeling I had was perfectly correct. I tell you, you think things that are just unbelievable. There's hatred, there's rage, and there's just ungodly emotions."

20-49 years old were reportedly speeding when their fatal crashes occurred in 1993.

■ **Single-Vehicle Crashes:** Forty-four percent of the 16-year-old drivers were in fatal crashes that involved only the teen's vehicle. The vehicle generally left the road and overtook or struck an object like a tree or pole. Among 16-year-old drivers, this is by far the biggest crash type. In contrast, only 29 percent of fatal crashes with 20-49-year-olds at the wheel in 1993 were single-vehicle.

■ **Alcohol Involvement:** Another distinction of fatal crashes involving 16-year-old drivers is a positive one. The rate of alcohol involvement is low. Only 5 percent of all 16-year-old drivers killed in 1993 crashes had

Percentage of Fatal Crashes with Various Characteristics, by Driver Age, 1993

	Driver Age		
	16	17-19	20-49
Driver Error	82	74	62
Speeding	37	33	23
Single-Vehicle	44	37	29
3+ Occupants	33	27	18
0.10+ Percent BAC*	5	28	48
Female Driver	34	27	29

* BAC: Blood alcohol concentration. In most states, 0.10 percent or more defines the offense of alcohol-impaired driving.

blood alcohol concentrations of 0.10 percent or more. This compares with 28 percent for older teenagers (17-19 years old) and 48 percent for drivers 20-49 years old.

■ **Safety Belt Use:** Many of the 16-year-olds who die in crashes aren't using belts. In fact, a higher proportion of teenagers in general don't use belts, compared with older drivers. This is the finding of surveys conducted at high schools.

■ **Passenger Deaths:** It isn't just 16-year-old drivers who are dying in disproportionate numbers. Two out of every three teens who died as passengers in 1993 crashes were traveling in vehicles driven by other teens, and 16-year-olds are particularly implicated. Fatal crashes involving drivers this age are much more likely to occur with three or more occupants in the vehicle — and the occupants are usually other teens — than are crashes involving older drivers.

One Small Emergency

Joy spread across the faces of 16-year-old Brandi Nichols and her mother on the day they learned that Brandi had been accepted for college at James Madison University. "I can see her now," Brandi's mother, Linda, recalls. "You know how the kids just kind of reach up and grab air and pump their arm up and down saying yes! yes! She was just elated."

Two weeks later, and just a month after Brandi got her license, she was headed for school in Monroe, Virginia. An honor student, she was exempt from exams and didn't have to arrive until 11 a.m.

"She left here about 10 minutes to 10" driving the pickup, Linda recalls. "I was home, washing a sweater Brandi wanted to wear the next day. I had our police scanner. I could hear there had been an accident on Route 130. And, of course, when I heard it I was just kind of listening. And then I heard it was a truck that hit a pole. They were sure there was personal injury, so I listened and listened, and I thought to myself, oh my god, oh dear god, not my Brandi. . . . And then I heard on the scanner the first three numbers of the license plate. I called the sheriff's department and asked the woman if she could verify the license number for me, but she couldn't."

That's when Linda "went down there and could see the truck. On the back bumper was a sticker: *I have a child who's an honor student at Amherst County HS.* Then I knew it was our truck. I started across, and a fireman was directing traffic there in the middle of the road. I asked him, the little girl in the truck, is she hurt bad? He said, are you any kin to her? And I said, I'm her mother. And about that time two of the rescue squad women, one on one side and one on the other, were helping me and I said, is she hurt bad? And one of the women said yes. And I asked, is she dead? And she said yes."

Brandi's truck got "a little bit off the edge of the road," her mother explains. "She managed to get back up, but then she just overreacted and cut the steering wheel too hard." The pickup "did a 360 — kind of got airborne, enough up off the road to tilt over, and it hit the telephone pole."

Parents Speak Out

Among parents with the most telling comments about the readiness of 16 year-olds to drive are people whose own children died in crashes shortly after they — or friends of theirs — got licenses. Sandra Tucker, for example, says she feels "like that driver's license was a terminal disease. It was only a matter of time" until her son would be in a crash.

Sixteen-year-old John Tucker died in a single-vehicle crash five months after getting his license. "They can take a test and get a license, go anywhere," Sandra adds, "and a 16 year-old doesn't have any sense. It's just insane. They don't have the experience. I don't think they're responsible enough."

Other parents who know a lot about licensing procedures in their states — and who have strong opinions about the policies — are the ones whose children recently got their licenses.

Among 1,000 parents of 17 year-olds surveyed in November 1994, almost 9 out of 10 said their children already had licenses. Eighty-one percent said their children were ready when licensed to drive under most conditions.

At the same time, 41 percent of the parents surveyed said they think it should be more difficult to obtain a driver's license. The same percentage think licenses shouldn't be allowed until teenagers are six months past their 16th birthdays — or older. Parents also overwhelmingly support restrictions for beginning teenage drivers:

- 90 percent said they favor a minimum period of supervised driving before teenagers get their licenses. Most said they favor a three- to six-month supervised driving period.

- 74 percent said they favor night driving curfews for beginning teenage drivers. Almost all favor curfews beginning at or before midnight.

- 97 percent said they favor a blood alcohol concentration of zero for teenage drivers. A concentration of 0.10 percent defines alcohol-impaired driving for older drivers in most states, but most states already specify lower thresholds for teenage drivers.

- 58 percent said they're in favor of graduated licensing programs that would include multiple restrictions on beginners.



What Parents Can Do

When parents understand the risk factors involved in letting 16 year-olds get behind the wheel, they can act to improve the situation for their own children:

- Give 16 year-olds as much driving time supervised by an adult as possible, even after the teenagers get their licenses.

- Be aware of the high risk when 16-year-old drivers and their peers travel together, without adults. Make new drivers wait to go with friends until they get plenty of supervised driving time. Don't assume your 16 year-old drives the same way with peers in the car as when you're present.

- With or without a curfew law, prohibit late night driving that's unsupervised. Teen outings late at night tend to be recreational and pose more risk. (Nine states have laws restricting night driving by teens younger than specified ages — Idaho, Illinois, Louisiana, Maryland, Massachusetts, New York, Pennsylvania, South Carolina, and South Dakota.)

- Don't assume that belt use when you're in the car with your 16 year-old means belts are used all the time, especially when your child is out with peers. Remember that belt use is lower among teenagers than older people, so insist on belts all the time.

- Choose safe cars. Large ones are safer than small ones, and air bags enhance safety. Avoid performance cars — the combination of high performance and a young driver is deadly.

- Prohibit driving after drinking any alcohol. Even though this is a factor in only 10 percent of crashes involving 16-year-old drivers, it becomes a much worse problem among older teenagers.

Case For Graduated Licensing

A license to drive is a ticket to freedom for 16-year-olds and, in many cases, for their parents who don't have to chauffeur them around anymore. But the price is steep — more than a third of all deaths during the teens' first five years will come from crashes. Do 16-year-olds get too much freedom too soon? If so, what to do? Some policy measures can help keep them alive.

High school driver education is *not* the answer. In many families, it may be the most convenient way for

Attitudes Versus Skills

Training and education programs can help teens learn driving skills, but they don't produce safer drivers. Why? Because it's often not poor skills that cause the crashes in the first place. It's teenagers' attitudes. They naturally tend to rebel against adult standards and regulations. Peer pressure influences them much more than advice from adults. Teenagers are slower than adults to perceive danger and, when they do, they often don't relate it to themselves. They think they're immortal, which is why they don't use safety belts as often as older drivers and deliberately seek thrills like driving at high speeds. Training and education don't change these tendencies because teenagers tend not to respond to adult influence.

beginners to learn how to drive. But it doesn't produce safer drivers. In terms of crash experience, learning to drive this way is about the same as learning from parents or private driving schools.

A promising approach to the overall problem involves modifying 16-year-olds' initial driving — helping them learn by controlling progression to unrestricted driving, lifting controls one by one until a young driver "graduates" to full licensure. The crux is to influence when beginning drivers may drive and with whom. Restrictions typically include limits on teen passengers, a prohibition on night driving, and/or a requirement that beginners drive only with an older experienced driver in the car. The blood alcohol concentration specified for teens may also be lower than the one for older drivers.

The first graduated licensing program was implemented in New Zealand in 1987. It's effective, and similar systems were adopted last year in two Canadian provinces, Ontario and Nova Scotia.

Saturday Night Party

Sick with pneumonia and tired from a trip, Sarann Hackett was glad to see her husband, Fred, at the Florida airport that afternoon in February 1993. On the way home, she talked excitedly about the gifts she brought their son, 16-year-old Scott.

"We were always playing tricks on each other in the van," Sarann recalls, "so stupid me thought Scotty was hiding in the van when Fred picked me up at the airport. I do remember Fred telling me that Scott was with friends. And he kept saying he had something else to tell me.

"He waited until we got the suitcases in the house and everything, and then he told me about the accident." Scott had died with two of his friends in a late-night crash.

Scott (shown above, after fishing expedition) and friend Mike Morgan (top) had been planning that Saturday night for weeks. They were going to throw a bash for a friend home on leave from the Marines. It was supposed to be small, but the party grew so big that police came and told them to go home. That's when Scott, Mike, and another teen took off in a Camaro with 16-year-old Jason Harrison at the wheel.

They made it to Jason's house, where they got a phone call from a boy who'd been stranded at the party. "So the four boys piled back into the car, going back thinking they were only picking up one or two boys. When they got there, there were four," Mike's mother, Pam Barrett, explains.

Now the Camaro was packed with eight teens, and Jason reportedly sped off at about 75 mph. That's when he lost control and hit a pole. The driver was one of three boys killed. A toxicology report showed he had a blood alcohol concentration of 0.11 percent. Mike and Scott hadn't been drinking, reports indicated, but died with Jason.

Sarann Hackett donated Scott's eyes, finding comfort in that. "When I watch the sun come up, I think well, if Scotty can't see it himself, he helped someone else be able to see it."



"A lot of people think of the restrictions as being inhibiting, curtailing... but I like to think of [graduated licensing] in terms of a protective mechanism," says Herb M. Simpson, director of the Traffic Injury Research Foundation of Canada, adding that parents like it. "The difficult thing is to be able to say no. It's compelling when you have teens who want to be able to use the vehicle, and the parent has to say no. One of the advantages we've heard from parents is that graduated licensing puts them in the position that they're simply complying with rules."

Driving is a far more complex task than most 16-year-olds realize. Allan F. Williams, the Insurance Institute for Highway Safety's senior vice president for research, explains that beginners "have to accumulate a lot of experience before they're able to combine steering with scanning the environment and putting it all together, all at the same time, behind the wheel." That's not all. Williams adds that "handling a car responsibly takes more than mastering the skills that are involved. It takes the maturity that can only come with time."

Sixteen year-olds "can't learn it overnight," says David F. Preusser, another researcher who has studied the problem of teenage drivers. "It takes a long time to learn what to do and how to predict danger. It also takes time to develop the maturity to make responsible decisions behind the wheel."

Restricting initial driving to daytime hours is part of creating time to learn. It's not just that night driving is a more difficult task. It also "tends to be recreational," Preusser points out. "The 16 year-olds go out with their friends. They're thinking about having fun. And then, if they also have a ton and a half of metal, glass, and plastic hurtling down the highway at 50, 60, or 70 miles an hour, this is a dangerous set of circumstances." Graduated licensing heads off such circumstances by introducing night driving only after on-the-road experience is gained during the day.

So far, not one U.S. state has a full-fledged graduated program. Interest in the idea is on the increase, though, and we may be on the verge of following the Canadian example. "It took several years in Ontario," Simpson remembers, "not to convince the public but to convince the political body that the public really wanted graduated licensing. And to do that required a groundswell of activity. There must have been 15 inquests, and in every one of those cases the death could have been averted. . . . These were all very poignant and very dramatic reminders of the potential power of graduated licensing."



Best Friends Since Kindergarten

"They loved being with each other," Kay Nielson says of her daughter, Annie (shown above, right), and best friend Alyssa Hanson (left). "You never saw one of them without the other." Alyssa's mother, Diane Hanson, echoes, "Two of a kind."

The best day of Alyssa's life, Diane remembers, was when she turned 16 and got her license. "She was so excited. She called me at work and said, 'Mom, I passed. Dad said I can go pick up Annie.'" Of course, Annie was Alyssa's first passenger.

The girls attended different schools in their Wisconsin community, but both had gotten out early on the next-to-last day of 10th grade, and they were together as usual on that clear June afternoon. Alyssa "was just supposed to get Annie and come right back home," her mother says. But first Alyssa helped Annie cut the grass. Then they stopped by the bank so Annie could deposit a check.

The deposit slip was stamped 12:25 p.m., and the crash happened exactly 13 minutes later. The girls were going about 75 mph on a winding highway when Alyssa lost control on a curve, and the pickup she was driving overturned. Neither Annie nor Alyssa was using a belt, and both were ejected from the pickup truck Alyssa was driving. "They didn't know which girl was which," Kay says. Diane Hanson had to identify them.

"They were just so young," Diane says, "still babies. They were good kids. Never did any drugs, drinking, just typical girl stuff. We had no major problems at all."

Annie and Alyssa's families said good-bye the only fitting way, by mourning them at a joint funeral. But there was even a downside to that. Diane says, "We not only lost our own, but Annie was like ours and Alyssa was like theirs. It's like losing two kids instead of one."

HB

57

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 3/29/96

DATE TURNED INTO OFFICE: 5/02/96

The Finance Committee considered HOUSE BILL NO. 57

REPORTED OUT OF
SFC 5/02/96

"An Act relating to driver's licensing; and providing for an effective date."

and recommends:

be replaced with S CS HB 57 (FIN)

adopt previous CS ()

attached amendment(s)

adopt Letter of Intent by Committee

further referral to the Committee

Senate Bill:

- same title
- new title
- House Bill:
- same title
- technical change
- new: SCR#

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>Steve King</i>	✓		
		<i>1000 E. 100</i>	✓		
		<i>Paul H. Stewart</i>	✓		
		<i>Ben Sharp</i>	✓		
Co-Chair: <i>[Signature]</i>	✓	Co-Chair: <i>[Signature]</i>			
Co-Chair: <i>[Signature]</i>		Co-Chair: <i>Paul Hillard</i>	✓		

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

Pub. Safety/Driver Service	3/28/96		108.3

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO: SCS HB 57(JUD)

Revision Date: 3/28/96 Dept. Affected: Public Safety
 Title: An Act relating to driver licensing... BRU: Motor Vehicles
 Component: Driver Services
 Sponsor: Representative Green
 Requestor: S. JUD. COMPONENT SERIAL NO. 500

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	22.9	36.7	36.7	36.7	36.7	36.7
TRAVEL	5.6	0	0	0	0	0
CONTRACTUAL	62.8	2.3	2.3	2.3	2.3	2.3
SUPPLIES	0.5	0.5	0.5	0.5	0.5	0.5
EQUIPMENT	16.5	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	108.3	39.5	39.5	39.5	39.5	39.5

CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
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CHANGE IN REVENUES (1005) Revenue Code	163.0	163.0	163.0	163.0	163.0	163.0
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts	77.1	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	31.2	39.5	39.5	39.5	39.5	39.5
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	108.3	39.5	39.5	39.5	39.5	39.5

Estimate of current year (FY 95) impact: \$ _____

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

SEE ATTACHED

Prepared By: Juanita M. Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 3/28/96
 Approved by Commissioner: *Ronald L. Otte* Date: 3/28/96
 Agency: Ronald L. Otte, Dept. of Public Safety

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SCS HB 57(JUD)**Fiscal Note Analysis cont.**

March 28, 1996

In 1993, the National Highway Traffic Safety Administration (NHTSA) offered to state's direct grants to assist in the implementation and evaluate a graduated license system. In 1994, Alaska and North Carolina were the only two states to be awarded these grants. Alaska's grant was in the amount of \$77.1.

Traffic crashes are the number one cause of death for youth nationwide. Alaska statistics are no different than the national statistics.

The impact this bill has on the Division of Motor Vehicles is the issuance of the full driver's license after the provisional license period is over. This bill requires the person be re-issued a driver's license without the provisional license restriction. The person will be required to pay a duplicate license fee of \$10. The division issued approximately 10,000 driver's licenses in 1994 to individual's in this age group. This will generate approximately \$100.0 in new general fund program receipts.

A person of this age group will have the driver's license suspended for accumulation of points at the 8 point level instead of 12 points in a 12 month period. In 1994, 1,205 warning notices were sent to individual's in this age group. It is anticipated, this bill, will cause a deterrent effect on this age group and, approximately 500 of these individuals will not reach the 6 point accumulation. This will result in approximately 700 additional point suspensions yearly. Since the point suspension notices are automated, the cost the Division will incur is for the postage to mail the suspension notices to the individual. The law requires these notices to be mailed by certified mail return receipt. Postage rate for certified mail is \$2.52 each.

It is estimated, 90 percent of all persons whose license is suspended will reinstate their driver's license. A \$100.00 reinstatement fee is charged anytime a person has had their license suspended. This will generate approximately \$63.0 in new general fund program receipts revenue. The total amount of additional new general fund program receipt revenue generated by this bill is \$163.0

The following is a cost breakdown associated with Alaska's graduated license implementation grant.

Personnel Services.....\$ 4.5 (Overtime cost associated with the grant administration.)
 Travel.....\$ 5.6
 Contractual.....\$60.5
 Equipment.....\$ 6.5
 TOTAL.....\$77.1

The following analysis is an estimate of the operational cost the Division of Motor Vehicles anticipates with the passage of this bill.

	<u>FY97</u>	<u>FY98</u>
<u>PERSONAL SERVICES</u>		
1 Motor Vehicle Representative (Anchorage) 1/2 year FY97	\$18.4	\$36.7
Federal Grant Receipts	\$ 4.5	
<u>TRAVEL</u>		
Federal Grant Receipts	\$ 5.6	
<u>CONTRACTUAL</u>		
Postage 700 notices (certified mail) @ \$2.52 each	\$ 1.8	\$ 1.8
Computer (Mainframe Connection)..yearly costs	\$ 0.5	\$ 0.5
Federal Grant Receipts	\$60.5	
\$9.6 Data Processing Fees \$30.0 Computer Programming \$6.6 Public Service Announcements and Brochures \$13.0 Public Opinion Survey \$1.3 Tuition-National Judicial College for Hearing Officer Training		
<u>SUPPLIES</u>		
Routine office supplies	\$ 0.5	\$ 0.5
<u>EQUIPMENT</u>		
1 Complete Computer Workstation	\$10.0	
One time costs		
Federal Grant Receipts	\$ 6.5	
Upgrade of Computer equipment and software		
<u>TOTAL</u>	<u>\$108.3</u>	<u>\$39.5</u>

FIN
SENATE CS FOR HOUSE BILL NO. 57(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 3/29/96
Referred: Finance

Sponsor(s): REPRESENTATIVES GREEN, Bunde, Toohy

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to driver's licensing; and providing for an effective date."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 28.15.031(a) is amended to read:

4 (a) The department may not issue a driver's license to a person

5 (1) who is under the age of 16 years, except that the department may
6 issue a permit under AS 28.15.051 or a restricted license under AS 28.15.121; or

7 (2) who is at least 16 years of age but not yet 18 years of age unless
8 the person meets the requirements of AS 28.15.057.

9 * Sec. 2. AS 28.15.051(a) is amended to read:

10 (a) Except as provided in (b) of this section, a person who is at least 14 years
11 of age may apply to the department for an instruction permit. The department may,
12 after the applicant has successfully passed all parts of the examination under
13 AS 28.15.081 other than the driving test, issue to the applicant an instruction permit.
14 The permit allows a person, while having the permit in the person's immediate
15 possession, to drive a specified type or class of motor vehicle on a highway or

5/2/96
RP moved to change age p. 2, line 2 from 25 to 22 Adopted

1 vehicular way or area for a period not to exceed two years. The permittee must be
2 accompanied by a person at least ²²~~25~~ [19] years of age who has been licensed at least
3 one year to drive the type or class of vehicle being used, who is capable of exercising
4 control over the vehicle and who occupies a seat beside the driver, or who
5 accompanies and immediately supervises the driver when the permittee drives a
6 motorcycle. An instruction permit may be renewed.

7 * Sec. 3. AS 28.15 is amended by adding new sections to read:

8 Sec. 28.15.055. PROVISIONAL DRIVER'S LICENSE. Upon application, the
9 department may issue a provisional driver's license to a person who is at least 16 years
10 of age but not yet 18 years of age if the person has been licensed under an instruction
11 permit issued under AS 28.15.051 or under the law of another state with substantially
12 similar requirements, for at least six months.

13 Sec. 28.15.057. RESTRICTIONS ON DRIVER'S LICENSE ISSUED TO A
14 PERSON UNDER 18. (a) Except as provided under AS 28.15.051 or 28.15.055, a
15 person who is at least 16 years of age but not yet 18 years of age may not be issued
16 a driver's license unless the person has been licensed under an instruction permit
17 issued under AS 28.15.051 for at least six months and has held a valid provisional
18 driver's license issued under AS 28.15.055 for at least one year.

19 (b) A person authorized to drive a motor vehicle under an instruction permit
20 issued under AS 28.15.051 or a provisional driver's license issued under AS 28.15.055
21 may not drive a motor vehicle on a highway or vehicular way or area between the
22 hours of 1:00 a.m. and 5:00 a.m. each day. This paragraph does not apply to a person
23 authorized to drive under a provisional driver's license who is driving from the
24 person's place of residence to the person's place of employment or from the person's
25 place of employment to the person's residence and who is driving along the most
26 direct highway, vehicular way or area available between the residence and the place
27 of employment.

28 * Sec. 4. AS 28.15.221(b) is amended to read:

29 (b) The regulations adopted under (a) of this section must [SHALL] include
30 a designated level of point accumulation that [WHICH] identifies drivers who are
31 habitually reckless or negligent or who are habitual or frequent violators of traffic

1 laws, so as to show a disrespect for traffic laws and a disregard for the safety of other
2 persons. In formulating the point system authorized by this section, the commissioner
3 shall, in the interest of interstate uniformity, provide for suspension, revocation or
4 denial of a driver's license, privilege to drive, or privilege to obtain a license for an
5 accumulation of 12 or more points as a result of offenses committed during any
6 consecutive 12-month period or 18 or more points as a result of offenses committed
7 during any 24-month period, except for a person licensed under an instruction
8 permit or provisional license. A person licensed under an instruction permit or
9 provisional license shall have the person's license suspended, revoked, or denied
10 for an accumulation of eight or more points as a result of offenses committed
11 during any consecutive 12-month period.

12 * Sec. 5. AS 28.40.100(a)(8) is amended to read:

13 (8) "driver's license" or "license," when used in relation to driver
14 licensing, means a license, provisional license, or permit to drive a motor vehicle, or
15 the privilege to drive or to obtain a license to drive a motor vehicle, under the laws
16 of this state [,] whether or not a person holds a valid license issued in this or another
17 jurisdiction;

18 * Sec. 6. This Act takes effect January 1, 1997.

5/2/96 This draft removes night time restrictions

WORK DRAFT

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9-LS0269AK
Ford
4/26/96

SENATE CS FOR HOUSE BILL NO. 57()
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES GREEN, Bunde, Toohey

A BILL

FOR AN ACT ENTITLED

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- 8 the person meets the requirements of AS 28.15.057.

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- 11 of age may apply to the department for an instruction permit. The department may,
- 12 after the applicant has successfully passed all parts of the examination under
- 13 AS 28.15.081 other than the driving test, issue to the applicant an instruction permit.
- 14 The permit allows a person, while having the permit in the person's immediate
- 15 possession, to drive a specified type or class of motor vehicle on a highway or

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vehicular way or area for a period not to exceed two years. The permittee must be accompanied by a person at least ²²25 [19] years of age who has been licensed at least one year to drive the type or class of vehicle being used, who is capable of exercising control over the vehicle and who occupies a seat beside the driver, or who accompanies and immediately supervises the driver when the permittee drives a motorcycle. An instruction permit may be renewed.

* Sec. 3. AS 28.15 is amended by adding new sections to read:

Sec. 28.15.055. PROVISIONAL DRIVER'S LICENSE. Upon application, the department may issue a provisional driver's license to a person who is at least 16 years of age but not yet 18 years of age if the person has been licensed under an instruction permit issued under AS 28.15.051 or under the law of another state with substantially similar requirements, for at least six months.

Sec. 28.15.057. RESTRICTIONS ON DRIVER'S LICENSE ISSUED TO A PERSON UNDER 18. Except as provided under AS 28.15.051 or 28.15.055, a person who is at least 16 years of age but not yet 18 years of age may not be issued a driver's license unless the person has been licensed under an instruction permit issued under AS 28.15.051 for at least six months and has held a valid provisional driver's license issued under AS 28.15.055 for at least one year.

* Sec. 4. AS 28.15.221(b) is amended to read:

(b) The regulations adopted under (a) of this section must [SHALL] include a designated level of point accumulation that [WHICH] identifies drivers who are habitually reckless or negligent or who are habitual or frequent violators of traffic laws, so as to show a disrespect for traffic laws and a disregard for the safety of other persons. In formulating the point system authorized by this section, the commissioner shall, in the interest of interstate uniformity, provide for suspension, revocation or denial of a driver's license, privilege to drive, or privilege to obtain a license for an accumulation of 12 or more points as a result of offenses committed during any consecutive 12-month period or 18 or more points as a result of offenses committed during any 24-month period, except for a person licensed under an instruction permit or provisional license. A person licensed under an instruction permit or provisional license shall have the person's license suspended, revoked, or denied

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5 licensing, means a license, provisional license, or permit to drive a motor vehicle, or
6 the privilege to drive or to obtain a license to drive a motor vehicle, under the laws
7 of this state [,] whether or not a person holds a valid license issued in this or another
8 jurisdiction;

9 * Sec. 6. This Act takes effect January 1, 1997.

FISCAL NOTE

2/15/96

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO: HB 57

Revision Date: 2/6/96
 Title: An Act relating to driver licensing...
 Sponsor: Representative Green
 Requestor: S. Transportation

Dept. Affected: Public Safety
 BRU: Motor Vehicles
 Component: Driver Services
 COMPONENT SERIAL NO. 500

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	22.9	36.7	36.7	36.7	36.7	36.7
TRAVEL	5.6	0	0	0	0	0
CONTRACTUAL	62.8	2.3	2.3	2.3	2.3	2.3
SUPPLIES	0.5	0.5	0.5	0.5	0.5	0.5
EQUIPMENT	16.5	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	108.3	39.5	39.5	39.5	39.5	39.5

CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
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CHANGE IN REVENUES (1005)) Revenue Code	163.0	163.0	163.0	163.0	163.0	163.0
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts	77.1	0	0	0	0	0
1003 GE Match	0	0	0	0	0	0
1004 GE	31.2	39.5	39.5	39.5	39.5	39.5
1005 GE/Program Receipts	0	0	0	0	0	0
1006 GE/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	108.3	39.5	39.5	39.5	39.5	39.5

Estimate of current year (FY 95) impact: \$ _____

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

SEE ATTACHED

Prepared By: Juanita M. Hensley
 Division: Motor Vehicles
 Approved by Commissioner: *Ronald L. Otte*
 Agency: Ronald L. Otte, Dept. of Public Safety

Phone: 465-2650
 Date: 2/6/96
 Date: 2/13/96

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February 6, 1996

In 1993, the National Highway Traffic Safety Administration (NHTSA) offered to state's direct grants to assist in the implementation and evaluate a graduated license system. In 1994, Alaska and North Carolina were the only two states to be awarded these grants. Alaska's grant was in the amount of \$77.1.

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\$6.6 Public Service Announcements and Brochures		
\$13.0 Public Opinion Survey		
\$1.3 Tuition-National Judicial College for Hearing Officer Training		
<u>SUPPLIES</u>		
Routine office supplies	\$0.5	\$0.5
<u>EQUIPMENT</u>		
1 Complete Computer Workstation	\$10.0	
One time costs		
Federal Grant Receipts	\$6.5	
Upgrade of Computer equipment and software		
<u>TOTAL</u>	<u>\$108.3</u>	<u>\$39.5</u>

FISCAL NOTE

2

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL

Bill Version: SCS HB 57 (TRA)

(S) Publish Date: 2-28-96

Revision Date: 2/6/96 Dept. Affected: Public Safety
 Title: An Act relating to driver licensing... BRU: Motor Vehicles
 Sponsor: Representative Green Component: Driver Services
 Requestor: S. Transportation COMPONENT SERIAL NO. 500

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	22.9	36.7	36.7	36.7	36.7	36.7
TRAVEL	5.6	0	0	0	0	0
CONTRACTUAL	62.8	2.3	2.3	2.3	2.3	2.3
SUPPLIES	0.5	0.5	0.5	0.5	0.5	0.5
EQUIPMENT	16.5	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	108.3	39.5	39.5	39.5	39.5	39.5

CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
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CHANGE IN REVENUES (1005) Revenue Code	163.0	163.0	163.0	163.0	163.0	163.0
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts	77.1	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	31.2	39.5	39.5	39.5	39.5	39.5
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	108.3	39.5	39.5	39.5	39.5	39.5

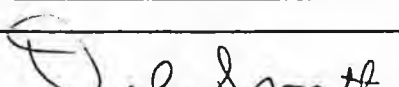
Estimate of current year (FY 95) impact: \$ _____

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS. (Attach a separate page if necessary.)

SEE ATTACHED

Prepared By: Juanita M. Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 2/6/96
 Approved by Commissioner:  Date: 2/13/96
 Agency: Ronald L. Otte, Dept. of Public Safety

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February 6, 1996

In 1993, the National Highway Traffic Safety Administration (NHTSA) offered to state's direct grants to assist in the implementation and evaluate a graduated license system. In 1994, Alaska and North Carolina were the only two states to be awarded these grants. Alaska's grant was in the amount of \$77.1.

Traffic crashes are the number one cause of death for youth nationwide. Alaska statistics are no different than the national statistics.

The impact this bill has on the Division of Motor Vehicles is the issuance of the full driver's license after the provisional license period is over. This bill requires the person be re-issued a driver's license without the provisional license restriction. The person will be required to pay a duplicate license fee of \$10. The division issued approximately 10,000 driver's licenses in 1994 to individual's in this age group. This will generate approximately \$100.0 in new general fund program receipts.

A person of this age group will have the driver's license suspended for accumulation of points at the 6 point level instead of 12 points in a 12 month period. In 1994, 1,205 warning notices were sent to individual's in this age group. It is anticipated, this bill, will cause a deterrent effect on this age group and, approximately 500 of these individuals will not reach the 6 point accumulation. This will result in approximately 700 additional point suspensions yearly. Since the point suspension notices are automated, the cost the Division will incur is for the postage to mail the suspension notices to the individual. The law requires these notices to be mailed by certified mail return receipt. Postage rate for certified mail is \$2.52 each.

It is estimated, 90 percent of all persons whose license is suspended will reinstate their driver's license. A \$100.00 reinstatement fee is charged anytime a person has had their license suspended. This will generate approximately \$63.0 in new general fund program receipts revenue. The total amount of additional new general fund program receipt revenue generated by this bill is \$163.0

The following is a cost breakdown associated with Alaska's graduated license implementation grant.

Personnel Services.....\$ 4.5 (Overtime cost associated with the grant administration.)
 Travel.....\$ 5.6
 Contractual.....\$60.5
 Equipment.....\$ 6.5
 TOTAL.....\$77.1

The following analysis is an estimate of the operational cost the Division of Motor Vehicles anticipates with the passage of this bill.

	<u>FY 97</u>	<u>FY 98</u>
<u>PERSONAL SERVICES</u>		
1 Motor Vehicle Representative (Anchorage) 1/2 year FY 97	\$18.4	\$36.7
Federal Grant Receipts	\$4.5	
<u>TRAVEL</u>		
Federal Grant Receipts	\$5.6	
<u>CONTRACTUAL</u>		
Postage 700 notices (certified mail) @ \$2.52 each	\$1.8	\$1.8
Computer (Mainframe Connection)..yearly costs	\$0.5	\$0.5
Federal Grant Receipts	\$60.5	
\$9.6 Data Processing Fees		
\$30.0 Computer Programming		
\$6.6 Public Service Announcements and Brochures		
\$13.0 Public Opinion Survey		
\$1.3 Tuition-National Judicial College for Hearing Officer Training		
<u>SUPPLIES</u>		
Routine office supplies	\$0.5	\$0.5
<u>EQUIPMENT</u>		
1 Complete Computer Workstation	\$10.0	
One time costs		
Federal Grant Receipts	\$6.5	
Upgrade of Computer equipment and software		
<u>TOTAL</u>	<u>\$108.3</u>	<u>\$39.5</u>

202

FISCAL NOTE

No. 1
 Bill Version: HB 57
 (H) Publish Date: 3/10/95

STATE OF ALASKA
 1995 LEGISLATIVE SESSION

BILL N

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act relating to driver licensing... BRU: Motor Vehicles
 Sponsor: Representative Green Component: Driver Services
 Requestor: H. TRA. COMPONENT SERIAL NO. 500

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	41.2	36.7	36.7	36.7	36.7	36.7
TRAVEL	5.6	0	0	0	0	0
CONTRACTS	62.8	2.3	2.3	2.3	2.3	2.3
SUPPLIES	0.5	0.5	0.5	0.5	0.5	0.5
EQUIPMENT	16.5	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	126.6	39.5	39.5	39.5	39.5	39.5

CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
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CHANGE IN REVENUES (1005) Revenue Code	163.0	163.0	163.0	163.0	163.0	163.0
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts	77.1	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	49.5	39.5	39.5	39.5	39.5	39.5
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	126.6	39.5	39.5	39.5	39.5	39.5

Estimate of current year (FY 95) impact: \$ _____

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)
 SEE ATTACHED

Prepared By: Juanita M. Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 2/1/95
 Approved by Commissioner: Ronald L. Otte Date: 2-6-95
 Agency: Ronald L. Otte, Dept. of Public Safety

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ORIGINAL

Traffic crashes are the number one cause of death for youth nationwide. Alaska statistics are no different than the national statistics.

The impact this bill has on the Division of Motor Vehicles is the issuance of the full driver's license after the provisional license period is over. This bill requires the person to come into the office and be re-issued a driver's license without the provisional license restriction. The person will be required to pay a duplicate license fee of \$10. The division issued approximately 10,000 driver's licenses in 1994 to individual's in this age group. This will generate approximately \$100.0 in new general fund program receipts.

A person of this age group will have the driver's license suspended for accumulation of points at 6 point level instead of 12 points in a 12 month period. In 1994, 1,205 warning notices were sent to individual's in this age group. It is anticipated, this bill, will cause a deterrent effect on this age group and, approximately 500 of these individuals will not reach the 6 point accumulation. This will result in approximately 700 additional point suspensions yearly. Since the point suspension notices are automated, the cost the Division will incur is for the postage to mail the suspension notices to the individual. The law requires these notices to be mailed by certified mail return receipt. Postage rate for certified mail is \$2.52 each.

It is estimated, 90 percent of all persons whose license is suspended will reinstate their driver's license. A \$100.00 reinstatement fee is charged anytime a person has had their license suspended. This will generate approximately \$63.0 in new general fund program receipts revenue. The total amount of additional new general fund program receipt revenue generated by this bill is \$163.0

The Division of Motor Vehicles applied for a grant to assist in implementation cost for a graduated license program. Alaska was awarded the grant from the National Highway Traffic Safety Administration in the amount of \$77.1 for this pilot project. The only other state to receive this type of grant was North Carolina.

The following analysis is an estimate of the operational cost the Division of Motor Vehicles anticipates with the passage of this bill.

	<u>FY96</u>	<u>FY97</u>
<u>PERSONAL SERVICES</u>		
1 Motor Vehicle Representative (Anchorage)	\$36.7	\$36.7
Federal Grant Receipts	\$4.5	
<u>TRAVEL</u>		
Federal Grant Receipts	\$5.6	
<u>CONTRACTUAL</u>		
Postage 700 notices (certified mail) @ \$2.52 each	\$1.3	\$1.8
Computer (Mainframe Connection)...yearly costs	\$0.5	\$0.5
Federal Grant Receipts	\$60.5	
\$9.6 Data Processing Fees		
\$30.0 Computer Programming		
\$6.6 Public Service Announcements and Brochures		
\$13.0 Public Opinion Survey		
\$1.3 Tuition-National Judicial College for Hearing Officer Training		
<u>SUPPLIES</u>		
Routine office supplies	\$0.5	\$0.5
<u>EQUIPMENT</u>		
1 Complete Computer Workstation	\$10.0	
One time costs		
Federal Grant Receipts	\$6.5	
Upgrade of Computer equipment and software		
<u>TOTAL</u>	\$126.6	\$39.5

Alaska State Legislature

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CHIEF CHAIR, RESOURCES COMMITTEE
VICE CHAIR, JUDICIARY COMMITTEE
MEMBER, STATE AFFAIRS COMMITTEE

FINANCE SUBCOMMITTEES
DEPT. OF NATURAL RESOURCES
DEPT. OF COMMERCE & ECONOMIC DEVELOPMENT
DEPT. OF ENVIRONMENTAL CONSERVATION

Representative Joe Green

District 10

Sponsor Statement

HB 57 - "Licensing Requirements for Drivers"

Currently 16-20 year old drivers comprise 6.2 percent of Alaskan drivers, but account for 28 percent of all fatal crashes. Due to this high incidence of accidents, injury, and death among teenage drivers many states are changing the rules which grant teenagers the "license" to drive.

One strategy to reduce young driver accidents is the provisional licensing system. HB 57 establishes a graduated system whereby a 14 year old may apply for a learners permit. At age 16, providing the driver has held a permit for at least 6 months, he/she can be graduated to a provisional license. This provisional license has restricted nighttime driving hours between 1AM and 5AM, with an exception made for driving to and from work. At age 17, if driving performance has been satisfactory during the one year provisional period, an unrestricted license can be awarded.

Currently, 12 states have laws which limit teenagers from operating motor vehicles during late evening or early morning hours. Studies in these states have shown that nighttime restrictions have significantly reduced accidents.

HB 57 is designed to allow the Department of Public Safety to take advantage of new federal funding to implement such legislation. The epidemic of disproportional teenage accidents nationwide led to the "High Risk Drivers Act of 1993" which established monetary incentives for states that implement programs for young drivers. I believe that enacting a graduated drivers license will help stop the teenage carnage on our highways, just as it has in every state that has enacted similar legislation.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

April 22, 1996

SUBJECT: Sectional Summary of SCS CSHB 57(JUD)

TO: Representative Joe Green
Attn: Melinda Gruening

FROM: Michael F. Ford *M.F. Ford*
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Prohibits issuance of a driver's license to a person at least 16 but not yet 18 years old, unless the person meets the requirements of AS 28.15.057.

Section 2. Increases the age of a licensed person who accompanies a person driving a vehicle under a permit, from 19 to 25.

Section 3. Enacts new provisions of law requiring a provisional driver's license for a person at least 16 but not yet 18 years old. Imposes driver's license restrictions on a person at least 16 but not yet 18 years old. Imposes a curfew on a person driving under a permit or provisional driver's license. Provides for exceptions to the curfew.

Section 4. Imposes a point suspension program for a person licensed under a permit or a provisional license.

Section 5. Amends the existing definition of "driver's license".

Section 6. Effective date.

MFF:klb
96-298.klb

Anchorage Daily News

Fuller A. Cowell
Publisher



Kent Pollock
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Michael Carey, Editorial Page Editor

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Gerald E. Grilly, Publisher, 1984—1993
Katherine Fanning, Editor and Publisher, 1971—1983
Lawrence Fanning, Editor and Publisher, 1967—1971
Founded in 1946 by Norman C. Brown

Young drivers

Let's start them off slowly

State Rep. Joe Green, R-Anchorage, wants to make it harder for teenagers to win full driving privileges. More power to him. The graduated licensing process he has in mind should help make Alaska roads safer for both youths and adults.

Rep. Green's bill is grounded in a reality that makes every parent of a teen worry. Young drivers simply have more accidents.

In Alaska, drivers age 20 and under are only 6.2 percent of the driving population, but they account for twice that number of accidents — 12.8 percent. (That's according to 1993 data from the Alaska Highway Safety Planning Agency.)

No doubt Rep. Green's idea will prove unpopular with Alaska youths. They'll naturally resent being barred from late night driving or having to maintain a clean record before getting full driving privileges.

At 16, a driver's license is a ticket to freedom, a chance to exercise new-found independence, to reel the power of sitting behind the wheel.

Unfortunately, that driver's license is often a ticket to something else — the hospital, or worse. And when young drivers make misjudgments, they aren't the only ones who suffer the consequences. Often their fellow passengers or other drivers wind up hurt or dead.

Contrary to what some youths may think, driving is not a right, it's a privilege — a privilege that carries a heavy responsibility. Creating a graduated license will encourage Alaska youths to use their



MADD

Telephone: (907) 522-6233
FAX: (907) 522-6234

Mothers Against Drunk Driving

Anchorage Chapter
615 East 82nd Avenue, Ste. 31
Anchorage, AK 99515-3157

19 April 1996

Representative Joe Green
State Capitol Building
Juneau, Alaska 99801

Dear Representative Green:

On behalf of MADD - Anchorage's Board of Directors, staff and general membership, I write to express very strong support for HB 57. As we understand it, this bill would institute a graduated driver's licensing procedure for teenage applicants.

Since you are aware of MADD - National's support for this type legislation and have from them considerable background information, I will refrain from being repetitious. However I will call attention to the age 25 requirement for the accompanying licensed instructor. We feel this is very prudent and would strongly oppose any attempt to lower this age requirement.

Again, you have our strong support for HB 57.

Sincerely,

Palmira Santos
President



Representative Joe Green
Alaska State Legislature
Juneau, AK 99801-1182

FEB 26 1996

February 21, 1996

Dear Representative Green:

On behalf of the Juneau Mayor's Task Force on Youth, we would like to express our support for HB 57 - Licensing Requirements for Drivers. We support a provisional licensing system as a way to reduce young driver accidents and prevent injury and death among teenage drivers in Alaska.

The Mayor's Task Force on Youth is concerned with the health and safety of young people in Juneau. We support programs, activities and public policy which support youth in making a healthy transition to adulthood.

The Mayor's Task Force on Youth agrees with the legislation proposing a graduated licensing system allowing a 14 year old to apply for a learners permit, while increasing the age of the person accompanying the permittee to 25 years of age. This will provide an opportunity for young drivers to learn from more experienced and hopefully more responsible drivers. We support allowing youth to get a provisional license at age 16 with restrictions on nighttime driving hours between 1 am and 5 am. We appreciate the exemption made for driving to and from work. At age 17 youth can progress to an unrestricted license if their driving performance has been satisfactory.

We do not feel this legislation will unduly limit the rights and freedom of young drivers, but rather provides a chance for them to gradually learn to be responsible drivers. This legislation will not significantly affect those youth who are already responsible drivers, instead it will support their efforts to drive carefully and responsibly.

We hope HB 57 will be supported by this committee and the legislature and be enacted by the Department of Public Safety as a way to reduce injuries and death to young drivers.

Thank you for introducing and supporting this legislation. If you need any additional support please do not hesitate to call Jeannie Monk at 463-5844 or Ron Gleason at 463-1900.

Sincerely,

Jeannie Monk
Co-facilitator,
Mayor's Task Force on Youth

Ron Gleason
Co-facilitator,
Mayor's Task Force on Youth

DON YOUNG
CONGRESSMAN FOR ALL ALASKA

WASHINGTON OFFICE
2331 RAYBURN BUILDING
TELEPHONE 202/225-5765

COMMITTEES:

CHAIRMAN,
COMMITTEE ON
RESOURCES

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE



Congress of the United States
House of Representatives
Washington, D.C. 20515

April 1, 1996

DISTRICT OFFICES:
222 WEST 7TH AVENUE, #3
ANCHORAGE, ALASKA 99513-7595
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FAIRBANKS, ALASKA 99701-6275
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TELEPHONE 907/225-6880
130 TRADING BAY ROAD
SUITE 350
KENAI, ALASKA 99611-7716
907/283-5808

Representative Joe Green
Alaska State Legislature
Room 24, State Capitol
Juneau, Alaska 99801-1182

Dear Joe:

Thank you for writing to request a letter of support for a bill you introduced to reform and improve safety on Alaska's highways. I appreciate hearing from you.

As a matter of policy, I rarely become involved in issues solely under the jurisdiction of the state. However, your bill, HB 57, appears to have great merit in that it provides a logical, orderly system of granting learner's permits and provisional driver's licenses to new drivers, who account for a disproportionately great share of fatalities on Alaska's roads. If this bill qualifies the state of Alaska for additional funds to implement the program, it will advance efforts to reduce the incidence of injuries and death among young Alaskans.

I am happy to assist you, and hope you will let me know what I can do on the Federal level to expedite your endeavor.

Sincerely,

DON YOUNG
Congressman for all Alaska

DY/cnf

John L. George & Associates
3328 Fitz Cove Road
Juneau, Alaska 99801
Tel. 907 789-0172 Fax 907 789-0964

FAX TRANSMISSION

April 4, 1996

The Honorable Rick Halford
State Capitol
Juneau, Alaska 99801

Re: HB 57 Licensing Requirements for Drivers.

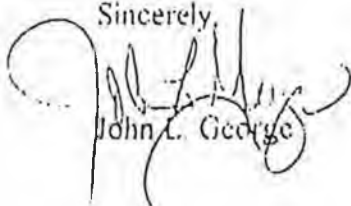
Dear Senator Halford,

As we discussed very briefly in your office last week, my insurance company clients are very interested in passage of HB 57, which is now in the Senate Finance Committee. We believe that passage of this bill will result in fewer accidents for youthful drivers but more importantly will instill better driving habits in those drivers which will last for the rest of their lives. The bill has been modified by committee substitute to meet the few objections that have been raised during committee hearings.

I urge you to schedule a hearing on this important legislation as soon as practical. I will testify in support of the bill as an Assistant Fire Chief, father of a teenage driver and as a representative of the insurance industry.

Thank you for your consideration of this important legislation.

Sincerely,



John L. George

cc Rep Joe Green File

TONY KNOWLES, GOVERNOR

Ronald L. Otte
Commissioner
P.O. BOX 111200
JUNEAU, ALASKA 99811-1200
PHONE: (907) 465-4371
FAX: (907) 463-5860

DEPARTMENT OF PUBLIC SAFETY

HIGHWAY SAFETY PLANNING AGENCY

March 30, 1995

The Honorable Mark Hanley
Alaska State Legislature
State Capitol, Room 507
Juneau, AK 99801-1182

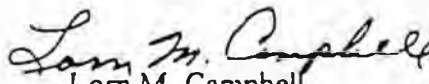
Dear Representative Hanley:

The Alaska Highway Safety Planning Agency (AHSPA) is responsible for the Governor's highway safety program. The goals of this program are to reduce fatalities and injury vehicle accidents on Alaska's roadways. In 1994 drivers between the ages of 16 through 20 represented only 6.2% of all licensed drivers in Alaska, they represent however, 12.9% of the drivers involved in traffic crashes within the state. This same age group was also involved as drivers in 28.8% of total fatal crashes in Alaska. Nationwide more than 40% of all deaths of persons ages 15 to 20 result from motor vehicle crashes. This is a loss of over 6,500 young lives. Many of these deaths may have been avoided if a Graduated Licensing System nationwide had been in place.

Recent studies conducted by the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) indicate that graduated licensing systems can reduce crashes, injuries and deaths through a graduated drivers licensing program. Under this system, novice drivers are required to demonstrate responsible driving behavior in each stage of the licensing before advancing to the next level.

The Highway Safety Planning Agency encourages you to give strong consideration to passage of HB 57. We believe it will have a positive effect on ensuring the safety of our States most valuable resource, it's young people. We thank you for your consideration, and look forward to working with you on this issue.

Sincerely,


Lorn M. Campbell
Administrator



Alaska Independent
Insurance Agents & Brokers, Inc.

April 17, 1996

Senator Rick Halford
Alaska State Legislature
State Capitol Building
Juneau, AK 99801

RE: HB 57

Dear Senator Halford,

As you are aware the Alaska Independent Insurance Agents & Brokers, Inc. is a trade association of professional insurance agents across the State of Alaska. We work on a daily basis with the Alaskan consumer.

We would urge the passage of HB 57 in the 1996 legislative session. This bill details parameters on the driver's licenses of inexperienced drivers. Accident rates are statistically higher for youthful operators of motor vehicles. The restrictions in HB 57 should improve highway safety and could ultimately improve the insurance climate in Alaska.

again, we would support HB 57 and would encourage it's passage.

Sincerely,

Linda S. Hall, CPCU, CIC
Legislative Chairman

METRO

ANCHORAGE DAILY NEWS

MONDAY, April 22, 1996

STATE NEWS

Teen killed in early morning crash

A 16-year-old boy died early Sunday morning when the car he was riding in collided with another vehicle at C Street and 15th Avenue. Gunthar M. Burt was pronounced dead at the scene after the 1983 Oldsmobile he was riding in collided with a vehicle driven by Jose Elias, 22, of Anchorage, according to the Anchorage Police Department. Burt was riding in the back seat of a car driven by Casey Weiss, 17, of Anchorage as the vehicle headed east on 15th, police said. Elias was traveling south on C Street in the right hand lane when his car collided with Weiss' vehicle about 2:30 a.m., police said. Elias and Weiss were taken to Alaska Regional Hospital, police said. Weiss was in stable condition Sunday evening. Elias was treated and released, a hospital spokesman said.

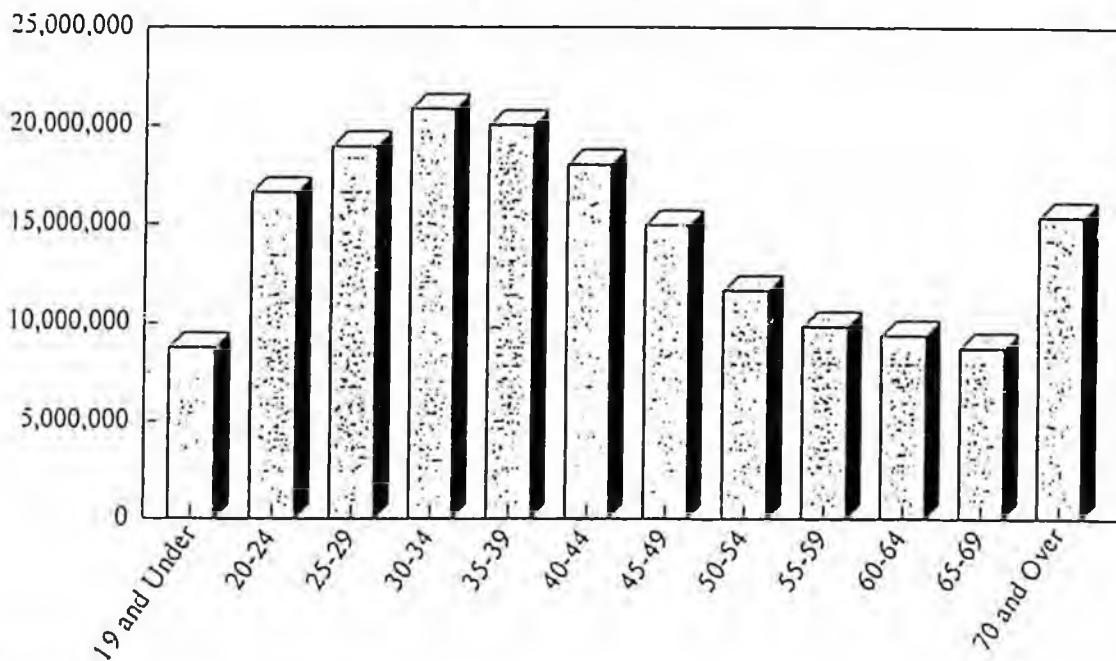
Eagle River man dies in wreck

An Eagle River man died near Cooper Landing Saturday afternoon when the motorcycle he was riding crossed the center line of the Sterling Highway and collided with an oncoming tractor-trailer truck, according to the Alaska State Troopers. Terry Lynn Collins, 40, died at the scene about 3:30 p.m. near a curve at Mile 50 of the highway, troopers said. Collins' Harley Davidson collided with a westbound tractor-trailer truck driven by Gary L. Spruill, 45, of Kasilof, troopers said. Collins and his motorcycle were thrown into the eastbound lane and struck by a tractor-trailer truck driven by Charles Ashley, 23, of Soldotna. Ashley had been following the eastbound Collins. The truck Ashley was driving overturned after being sideswiped by Spruill's truck, which veered into the eastbound lane after colliding with the motorcycle, according to troopers. The truck operated by Spruill then collided with a pickup driven by Marvin Husek, 43, of Anchorage, troopers said. Husek had been behind Ashley's truck, troopers said. Spruill was taken to the Soldotna hospital for treatment, where he was listed in stable condition Sunday evening. Husek drove the pickup from the scene, troopers said.

Teenage Driving Statistics

- Auto accidents are the number one killer of teenagers
- Teenagers make up 5 percent of the licensed population
- Teenagers are involved in 14 percent of all fatal accidents
- The risk of fatal crashes for teenagers is highest between 9 p.m. and 6 a.m.
- In 1993, 44% of the 16-year-old drivers involved in fatal accidents were single vehicle crashes
- Research indicates night driving curfews have resulted in crash reductions of 69%
- 20% of all passengers who die in crashes do so when a teenager is driving
- 67% of teen passenger deaths occur in crashes in which another teen is driving

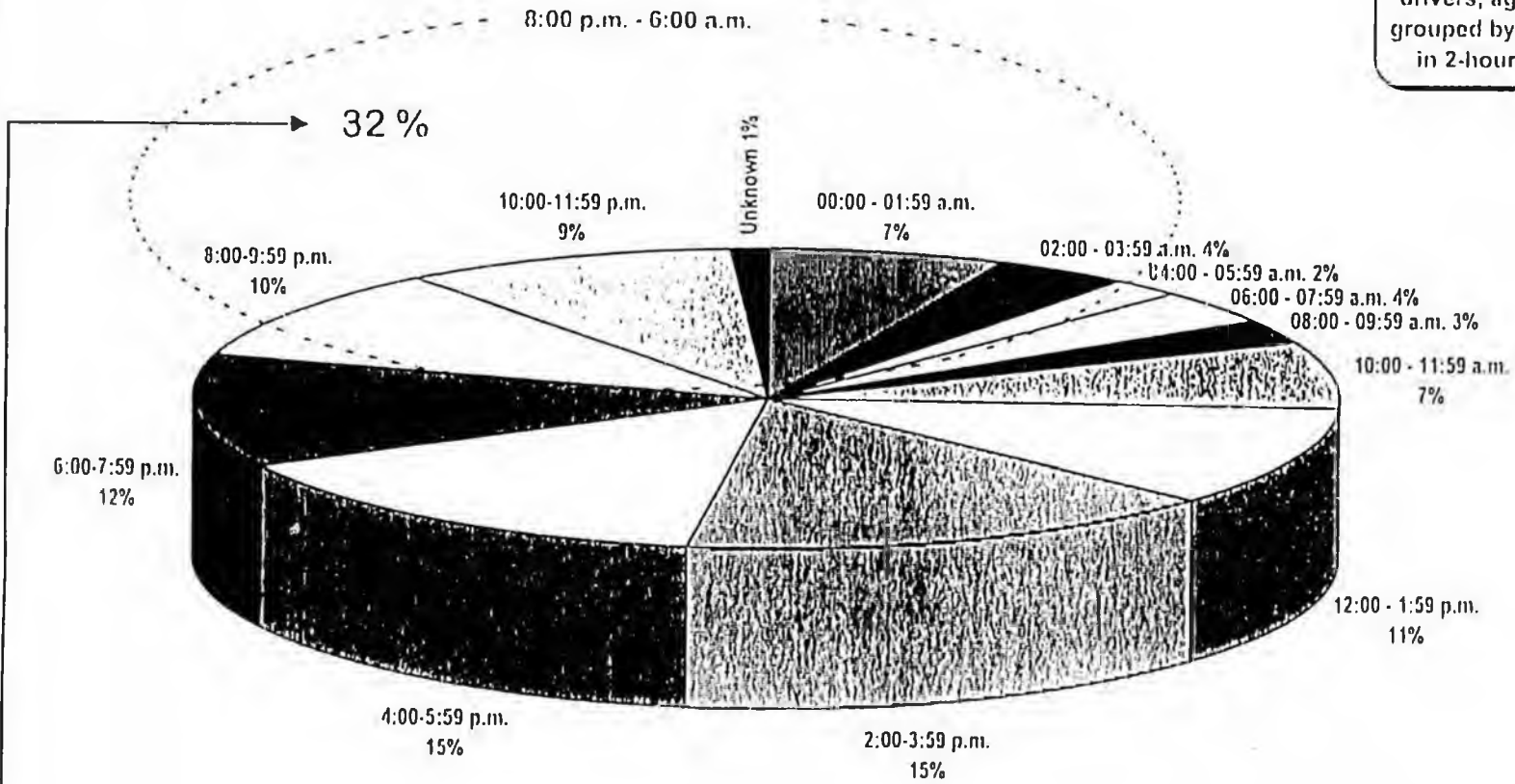
Number of Licensed Drivers by Age



Source: National Association of Independent Insurers

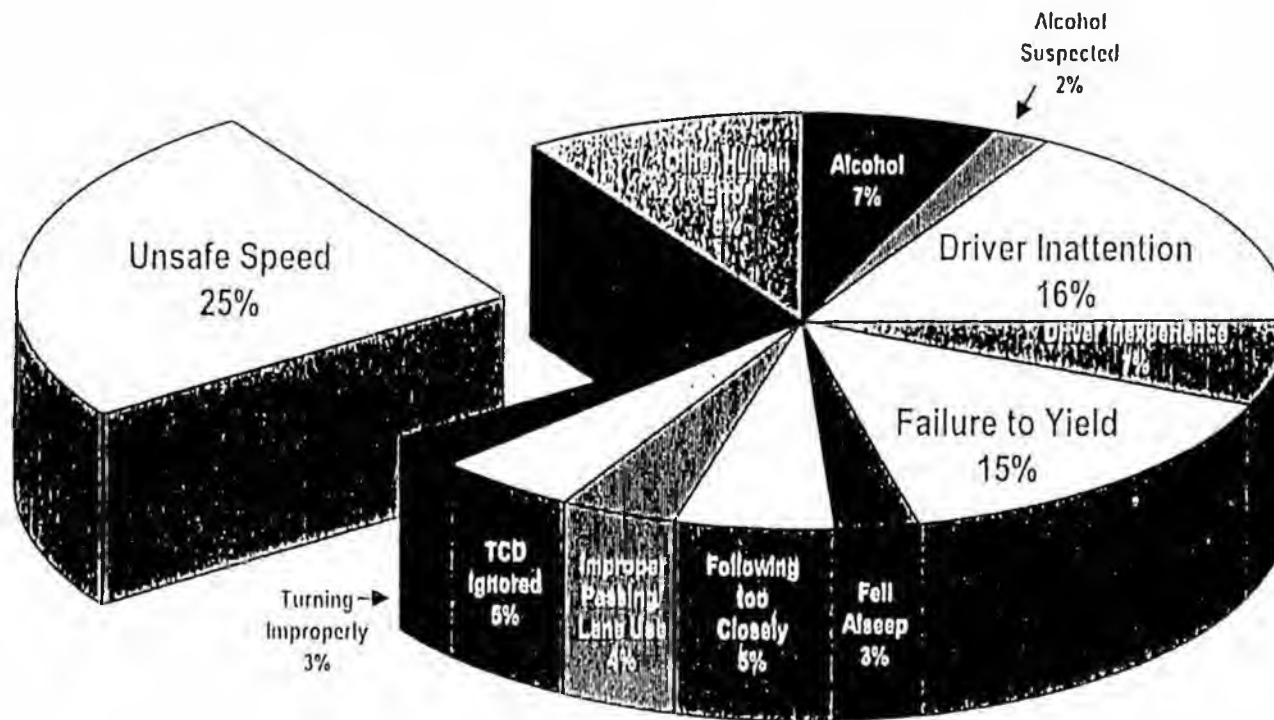
1993 YOUTH DRIVERS INVOLVED IN INJURY AND FATAL CRASHES {AGES: 16 - 20}

DATA REPRESENTED
Percentage of 1,138
injury and fatal crash
drivers, ages 16 to 20,
grouped by time of day,
in 2-hour intervals.



32 percent of youth crash drivers were involved in crashes which resulted in injuries and/or fatalities between the hours of 8:00 p.m. and 6:00 a.m.

1993 HUMAN ERRORS KNOWN TO HAVE CONTRIBUTED TO
INJURY AND FATAL TRAFFIC CRASHES
INVOLVING YOUTH DRIVERS (AGES 16-20)



DATA REPRESENTED
Percentage of 814 known human errors contributing to injury and fatal crashes which involved a youth driver, age 16-20.

Other Known Factors
There were an additional 145 contributing factors other than human error. Of those other factors, 83 involved roadway conditions. 'Slippery pavement' was cited in 71% (59 of 83) of roadway factors. *SPECIAL NOTE: 'unsafe speed' was cited in combination with 'slippery pavement' 68% of the time (40 of 59 occurrences).*

Graduated Licensing In The United States

The American Association of Motor Vehicle Administrators (AAMVA) and the National Highway Traffic Safety Administration (NHTSA) encourage states to implement a graduated driver licensing (GDL) system. A GDL system eases young drivers into the driving environment under safer conditions prior to full unrestricted licensure. This system consists of three stages, named by the type of license possessed at each stage: learner's permit, intermediate (provisional) license, and full unrestricted license. Young drivers are required to demonstrate responsible driving behavior in each stage of licensing before advancing to the next.

Although licensing practices vary from state to state and no state has a comprehensive GDL system, several states have components of a system. Eight (8) states have three stages of licensing: California, Colorado, Maryland, Massachusetts, New York, Pennsylvania, West Virginia, and Wisconsin. These states require a learner's permit and have an intermediate license (e.g., provisional or junior license), prior to a full unrestricted license.

Four (4) states require a two-tiered licensing system and have several components of graduated licensing: Illinois, New Jersey, Oregon, and Vermont. Illinois and New Jersey require a permit prior to full unrestricted licensure. Oregon and Vermont do not require a permit but do have an intermediate license prior to full unrestricted licensure.

Four (4) additional states, Idaho, Louisiana, South Carolina, and South Dakota, do not have graduated licensing systems but do have one of the highly recommended components of such a system— nighttime driving restriction.

This booklet contains a table showing the recommended components of a GDL system, a map of states with GDL stages, and tables showing the components of licensing in states having three stages of licensing and two stages, one being an intermediate license.

States With Graduated Driver Licensing Stages September 1995



States With Two Stages Of Licensing (Intermediate license w/restrictions or has at least five components one being a night restriction)
Illinois, New Jersey, Oregon, Vermont

States With Three Stages Of Licensing
California, Colorado, Maryland, Massachusetts, New York, Pennsylvania, West Virginia, Wisconsin

Graduated Driver Licensing System Components

States With Licensing Stages And/Or Nighttime Restriction

	License Stages			Components						
	Learner's Permit Required	Intermediate License	Night Restriction	Parent Participation	Driver Education	Crash/Conviction Free Period	Youth Driver Improvement Action	Visually Distinct License	Lower BAC	Mandatory Safety
California	X	X		X	X			X	X	X
Colorado	X	X			X			X		X
Idaho *			X		X			X	X	X
Illinois *	X		X		X			X	X	X
Louisiana *			X		X		X	X	X	X
Maryland	X	X	X		X	X		X	X	X
Massachusetts	X	X	X		X		X	X	X	X
New Jersey	X		X		X		X		X	X
New York	X	X	X		X		X	X		X
Oregon		X					X	X	X	X
Pennsylvania	X	X	X		X	X		X		X
South Carolina *	X		X		X			X		X
South Dakota *			X					X		X
Vermont		X			X		X	X	X	X
West Virginia	X	X			X		X	X	X	X
Wisconsin	X	X			X		X	X	X	X

* Restrictions are attached to full license (no intermediate license issued).

Graduated Driver Licensing Recommended Components

	Stage 1 Learner's Permit	Stage 2 Intermediate License	Stage 3 Full License
Eligibility	<p>Meet minimum age required by the state (e.g., at least 15-1/2 years of age).</p> <p>Pass vision and knowledge tests, including rules of the road and signs and signals.</p>	<p>Successfully complete the learner's permit stage.</p> <p>Meet any minimum age required by the state.</p> <p>Successfully complete basic driver education.</p> <p>Pass second level knowledge test, including safe driving practices.</p> <p>Pass on-road driving test.</p>	<p>Successfully complete the intermediate license stage.</p> <p>Meet any minimum age required by the state.</p> <p>Successfully complete advanced driver education.</p> <p>Pass second level knowledge test, & on-road driving skills test.</p>
Components	<p>All driving must be supervised by licensed parent, guardian, or adult at least age 21 or older.</p> <p>All vehicle occupants must wear safety belts.</p> <p>Motorcycle learners must wear helmet and carry no passengers.</p> <p>All drivers under age 21 subject to lower blood alcohol concentration (i.e., zero tolerance 0.02 BAC or less).</p> <p>Permit cancelled if applicant is convicted of any alcohol-related offense.</p> <p>Parent participation in driving process (e.g., certifying that the novice driver had a minimum number of supervised hours of driving).</p> <p>Recommended novice driver receive basic driver education.</p> <p>Permit is distinctive from other driver licenses.</p> <p>Must remain crash and conviction free for six consecutive months to move to next stage.</p> <p>Recommend motorcycle learners apply for next stage in 90 days.</p> <p>The learner could be subject to limitations on the speed or type of roads they are allowed to use, or the number of passengers allowed in vehicle.</p>	<p>Restricted hours of driving unless supervised by a parent/guardian or licensed adult at least 21 years of age (e.g., no driving from 10:00 p.m. - 5:00 a.m.).</p> <p>All occupants must wear safety belts.</p> <p>Motorcycle learner must wear DOT approved helmet & carry no passengers.</p> <p>All drivers under age 21 subject to lower blood alcohol concentration (i.e., zero tolerance 0.02 BAC or less).</p> <p>License revocation for any alcohol-related offense.</p> <p>Youth oriented & more rapid driver improvement actions are taken in the event of violations or at-fault crashes.</p> <p>Intermediate license is distinctive from learner's permit & regular license.</p> <p>Must remain crash & conviction free for 12 consecutive months to move to the next stage.</p> <p>Parent participation in driving process (e.g., certifying that the novice driver had a minimum number of supervised hours of driving).</p> <p>Recommend novice driver receive advanced driver education.</p> <p>The learner could be subject to limitations on the speed or type of roads they are allowed to use, or the number of passengers allowed in vehicle.</p>	<p>All drivers under age 21 subject to lower blood alcohol concentration (i.e., zero tolerance 0.02 BAC or less).</p> <p>A provisional license for suspended or revoked drivers (all ages) requiring violation & crash free driving for a specified period prior to reobtaining full licensure.</p>

FISCAL NOTE

STATE OF ALASKA 1996 LEGISLATIVE SESSION

No. 3
BILL # Bill Version: SCS HB57(FIN)
 (S) Publish Date: 5/2/96

Revision Date: 3/28/96 Dept. Affected: Public Safety
 Title: An Act relating to driver licensing... BRU: Motor Vehicles
 Component: Driver Services
 Sponsor: Representative Green
 Requestor: S. JUD. COMPONENT SERIAL NO. 500

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	22.9	36.7	36.7	36.7	36.7	36.7
TRAVEL	5.6	0	0	0	0	0
CONTRACTUAL	62.8	2.3	2.3	2.3	2.3	2.3
SUPPLIES	0.5	0.5	0.5	0.5	0.5	0.5
EQUIPMENT	16.5	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	108.3	39.5	39.5	39.5	39.5	39.5

CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
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CHANGE IN REVENUES (1005)) Revenue Code	163.0	163.0	163.0	163.0	163.0	163.0
---	-------	-------	-------	-------	-------	-------

FUNDING: (Thousands of Dollars)

1002 Federal Receipts	77.1	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	31.2	39.5	39.5	39.5	39.5	39.5
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	108.3	39.5	39.5	39.5	39.5	39.5

Estimate of current year (FY 95) impact: \$ _____

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

SEE ATTACHED

Prepared By: Juanita M. Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 3/28/96
 Approved by Commissioner: Ronald L. Otte Date: 3/28/96
 Agency: Ronald L. Otte, Dept. of Public Safety

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March 28, 1996

In 1993, the National Highway Traffic Safety Administration (NHTSA) offered to state's direct grants to assist in the implementation and evaluate a graduated license system. In 1994, Alaska and North Carolina were the only two states to be awarded these grants. Alaska's grant was in the amount of \$77.1.

Traffic crashes are the number one cause of death for youth nationwide. Alaska statistics are no different than the national statistics.

The impact this bill has on the Division of Motor Vehicles is the issuance of the full driver's license after the provisional license period is over. This bill requires the person be re-issued a driver's license without the provisional license restriction. The person will be required to pay a duplicate license fee of \$10. The division issued approximately 10,000 driver's licenses in 1994 to individual's in this age group. This will generate approximately \$100.0 in new general fund program receipts.

A person of this age group will have the driver's license suspended for accumulation of points at the 8 point level instead of 12 points in a 12 month period. In 1994, 1,205 warning notices were sent to individual's in this age group. It is anticipated, this bill, will cause a deterrent effect on this age group and, approximately 500 of these individuals will not reach the 6 point accumulation. This will result in approximately 700 additional point suspensions yearly. Since the point suspension notices are automated, the cost the Division will incur is for the postage to mail the suspension notices to the individual. The law requires these notices to be mailed by certified mail return receipt. Postage rate for certified mail is \$2.52 each.

It is estimated, 90 percent of all persons whose license is suspended will reinstate their driver's license. A \$100.00 reinstatement fee is charged anytime a person has had their license suspended. This will generate approximately \$63.0 in new general fund program receipts revenue. The total amount of additional new general fund program receipt revenue generated by this bill is \$163.0

The following is a cost breakdown associated with Alaska's graduated license implementation grant.

Personnel Services.....\$ 4.5 (Overtime cost associated with the grant administration.)
 Travel.....\$ 5.6
 Contractual.....\$60.5
 Equipment.....\$ 6.5
 TOTAL.....\$77.1

The following analysis is an estimate of the operational cost the Division of Motor Vehicles anticipates with the passage of this bill.

	<u>FY97</u>	<u>FY98</u>
<u>PERSONAL SERVICES</u>		
1 Motor Vehicle Representative (Anchorage) 1/2 year FY97	\$18.4	\$36.7
Federal Grant Receipts	\$ 4.5	
<u>TRAVEL</u>		
Federal Grant Receipts	\$ 5.6	
<u>CONTRACTUAL</u>		
Postage 700 notices (certified mail) @ \$2.52 each	\$ 1.8	\$ 1.8
Computer (Mainframe Connection)..yearly costs	\$ 0.5	\$ 0.5
Federal Grant Receipts	\$60.5	
\$9.6 Data Processing Fees		
\$30.0 Computer Programming		
\$6.6 Public Service Announcements and Brochures		
\$13.0 Public Opinion Survey		
\$1.3 Tuition-National Judicial College for Hearing Officer Training		
<u>SUPPLIES</u>		
Routine office supplies	\$ 0.5	\$ 0.5
<u>EQUIPMENT</u>		
1 Complete Computer Workstation	\$10.0	
One time costs		
Federal Grant Receipts	\$ 6.5	
Upgrade of Computer equipment and software		
<u>TOTAL</u>	\$108.3	\$39.5

SENATE COMMITTEE REPORT

DATE: 2/28/96

FURTHER Finance

✓

DATE TURNED INTO OFFICE: 3/28/96

The Judiciary Committee considered HOUSE BILL NO. 57

"An Act relating to driver's licensing; ~~and providing for an effective date.~~"

FN

Forthcoming
from public safety

~~PTF~~

and recommends:

- be replaced with SCS 40 57 (HUD)
- adopt previous CS ()
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:
 same title
 new title
House Bill:
 same title
 technical change
 new: "SCR"

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Lynna Green</i>	<input checked="" type="checkbox"/>	<i>Shyllis</i>	<input checked="" type="checkbox"/>		
		<i>Mike Butler</i>	<input checked="" type="checkbox"/>		
CHAIR: <i>Chris Taylor</i> ✓					

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
Public Safety	2/5/96	 	108.3

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

**SENATE COMMITTEE REPORT
First Committee of Referral**

DATE: 2/5/96

FURTHER: Judiciary
Finance

Date of 5-Day Notice: 2/8/96
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2/28/96

The Transportation Committee considered HOUSE BILL NO. 57

"An Act relating to driver's licensing; and providing for an effective date."

and recommends:

FN

- be replaced with S CS HB57 (TRA)
- adopt previous CS ()
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill: same title
- new title
- House Bill: same title
- technical title
- new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>Georganna Smith</i>	✓		
<i>Linda Price</i>	✓	<i>Adrian Taylor</i>	✓		
CHAIR: <i>Steve Miller</i>			✓		

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

SCS

Public Safety - revised	2/13/96		✓

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

BILL: HB 57

SHORT TITLE: LICENSING REQUIREMENTS FOR DRIVERS

BILL VERSION:

SPONSOR(S): REPRESENTATIVE(S) GREEN, BUNDE, TOOHEY

CURRENT STATUS: (S) FIN

STATUS DATE: 03/29/96

TITLE: "AN ACT RELATING TO DRIVER'S LICENSING; AND PROVIDING FOR AN EFFECTIVE DATE."

01/06/95	35	(H)	PREFILE RELEASED
01/16/95	35	(H)	READ THE FIRST TIME - REFERRAL(S)
01/16/95	35	(H)	TRANSPORTATION, JUDICIARY, FINANCE
01/19/95	90	(H)	COSPONSOR(S): BUNDE
03/10/95	697	(H)	TRA RPT 2DP 3NR
03/10/95	697	(H)	DP: JAMES, WILLIAMS
03/10/95	697	(H)	NR: MASEK, SANDERS, G.DAVIS
03/10/95	697	(H)	FISCAL NOTE (DPS)
03/24/95	888	(H)	JUD RPT 3DP 3NR
03/24/95	888	(H)	DP: BUNDE, GREEN, TOOHEY
03/24/95	888	(H)	NR: PORTER, FINKELSTEIN, B.DAVIS
03/24/95	888	(H)	FISCAL NOTE (DPS) 3/10/95
04/28/95	1614	(H)	FIN RPT 7NR
04/28/95	1614	(H)	NR: FOSTER, MULDER, MARTIN, KOHRING
04/28/95	1614	(H)	NR: KELLY, THERRIAULT, PARNELL
04/28/95	1614	(H)	FISCAL NOTE (DPS) 3/10/95
01/31/96	2580	(H)	READ THE SECOND TIME
01/31/96	2581	(H)	ADVANCED TO THIRD READING UNAN CONSENT
01/31/96	2581	(H)	READ THE THIRD TIME HB 57
01/31/96	2581	(H)	PASSED Y36 N3 E1
01/31/96	2582	(H)	EFFECTIVE DATE(S) SAME AS PASSAGE
01/31/96	2582	(H)	WILLIS NOTICE OF RECONSIDERATION
01/31/96	2586	(H)	COSPONSOR(S): TOOHEY
02/02/96	2615	(H)	RECONSIDERATION NOT TAKEN UP
02/02/96	2615	(H)	TRANSMITTED TO (S)
02/05/96	2304	(S)	READ THE FIRST TIME - REFERRAL(S)
02/05/96	2304	(S)	TRA, JUD, FIN
02/28/96	2567	(S)	TRA RPT SCS 1DP 3NR SAME TITLE
02/28/96	2567	(S)	FN TO SCS (DPS)
03/29/96		(S)	JUD RPT SCS 2DP 2NR SAME TITLE
03/29/96		(S)	FN TO SCS (DPS) FORTHCOMING
03/29/96		(S)	REFERRED TO FINANCE

HB

58

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred: February 3, 1995

FURTHER REFERRALS:

Date of Committee Action: 2/8/95

The FINANCE Committee considered:

HB 58

HOUSE BILL NO. 58

CHICKALOON FLATS CRITICAL HABITAT AREA

"An Act establishing the Chickaloon Flats Critical Habitat Area."

recommends it be replaced with the following committee substitute C.S HB 58 (Res) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) _____ zero fiscal note(s) F & G

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Richard [Signature]</i>	Roster		*		
<i>Mark Hanley</i>	Hanley			X	
<i>Alan Mulder</i>	Mulder			X	
<i>Terry Martin</i>	Martin	✓			
<i>Sean Parnell</i>	Parnell	✓			
<i>Ben Gussendorf</i>	Gussendorf	X			
<i>Mike Navarre</i>	Navarre	X			
<i>Tom Brown</i>	Brown	✓			
<i>Pete Kelly</i>	Kelly			X	
<i>Gene Therriault</i>	Therriault			X	

CHAIR'S SIGNATURE *Mark Hanley* *Richard [Signature]*

FISCAL NOTE

STATE OF ALASKA
99th LEGISLATIVE SESSION

Bill Version: CSHB 58 (RES)
(H) Publish Date: 2/3/95

Revision Date: _____
Title: Chukchiot Flat Critical Habitat Area
Sponsor: Representative Bunde
Requestor: House Oil and Gas

Dept. Affected: Fish and Game
SRU: Habitat and Restoration
Component: Habitat
COMPONENT SERIAL NO. _____

Expenditures/Revenues	(Thousands of Dollars)					
	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
OPERATING EXPENDITURES						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL EXPENDITURES	0	0	0	0	0	0
CHANGE IN REVENUES /	0	0	0	0	0	0

FUND SOURCE	(Thousands of Dollars)					
002 Federal Receipts						
003 GF Match						
004 GF						
005 GF/Program Receipts						
006 GF/METLA						
Other						
TOTAL	0	0	0	0	0	0

Estimate of any current year (FY 94) cost: \$ 0

POSITIONS	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Frank Rue Phone: 465-3065
 Division: Habitat and Restoration Date: _____
 Approved by Commissioner: [Signature]
 Agency: Alaska Department of Fish and Game Date: _____

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REPRESENTATIVE CON BUNDE
CO-CHAIR HEALTH, EDUCATION
& SOCIAL SERVICES
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House of Representatives

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SPONSOR STATEMENT

HB 58

"An Act establishing the Chickaloon Flats Critical Habitat Area"

Chickaloon Flats is on the northeast side of the Kenai Peninsula, on the Turnagain Arm facing the Anchorage Coastal Refuge and Potter Flats. The area has a local nesting population of ducks and geese. The most important use of this area is as a feeding and resting area for migrating ducks, geese and shore birds. Up to 25,000 birds a day use the mudflats and tidal marsh. For example, the area is often used when Portage Pass is closed due to bad weather. The waterfowl that normally transit the pass have to have a place to rest and feed. Chickaloon Flats is the principal place they use on Turnagain Arm.

The purpose of this bill is to assure adequate habitat for waterfowl rather than create a stumbling block for future development of resources. There are currently no valid oil and gas leases in the proposed critical habitat area that would be disrupted by the formation of a critical habitat area. Additionally, there is nothing in this bill that would preclude the future exploration of this area.

I urge your positive support of this proposed legislation.

PROPOSED CHICKALOON FLATS
CRITICAL HABITAT AREA
BACKGROUND INFORMATION

LOCATION: The proposed Chickaloon Flats Critical Habitat Area is located on the south side of Turnagain Arm at the head of Cook Inlet and is bisected by the Chickaloon River.

AREA DESCRIPTION: The proposed Chickaloon Flats Critical Habitat Area encompasses a large expanse of state-owned tidelands lying within the Kenai Peninsula Borough. Adjacent uplands are managed by the Kenai National Wildlife Refuge.

FISH AND WILDLIFE RESOURCES: Chickaloon Flats is one of a handful of key waterfowl and shorebird habitats in Cook Inlet which provide vital staging habitat for arctic nesting birds on their way to and from nesting grounds in the north. The mudflats and tidal marsh at the mouth of the Chickaloon River, created by the dramatic tidal action of Turnagain Arm, are critical waterfowl and shorebird feeding and resting habitat during spring and fall migration. In the fall, waterfowl waiting out bad weather replenish energy reserves on Chickaloon Flats before flying south through Turnagain Pass. Up to 25,000 birds a day use the mudflats and tidal marsh for resting and feeding during fall migration, including up to 5,000 lesser Canada geese at a time. Fall migrants include: tundra and trumpeter swans; lesser Canada geese; white-fronted geese; sandhill cranes; mallards; pintails; green-winged teal; shovelers; gadwalls; and American wigeon. Additional waterfowl species found during ice free months include: red-breasted mergansers, canvasbacks, common merganser, greater scaup, and common goldeneye. Snow geese and swans are most numerous on the flats during spring migration.

Northern phalaropes, glaucous-winged gulls, mew gulls, Bonaparte's gulls, arctic terns, common snipe, yellowlegs, dowitchers, semipalmated plovers, sandpipers, whimbrels, and godwits also feed on the productive estuarine tideflats.

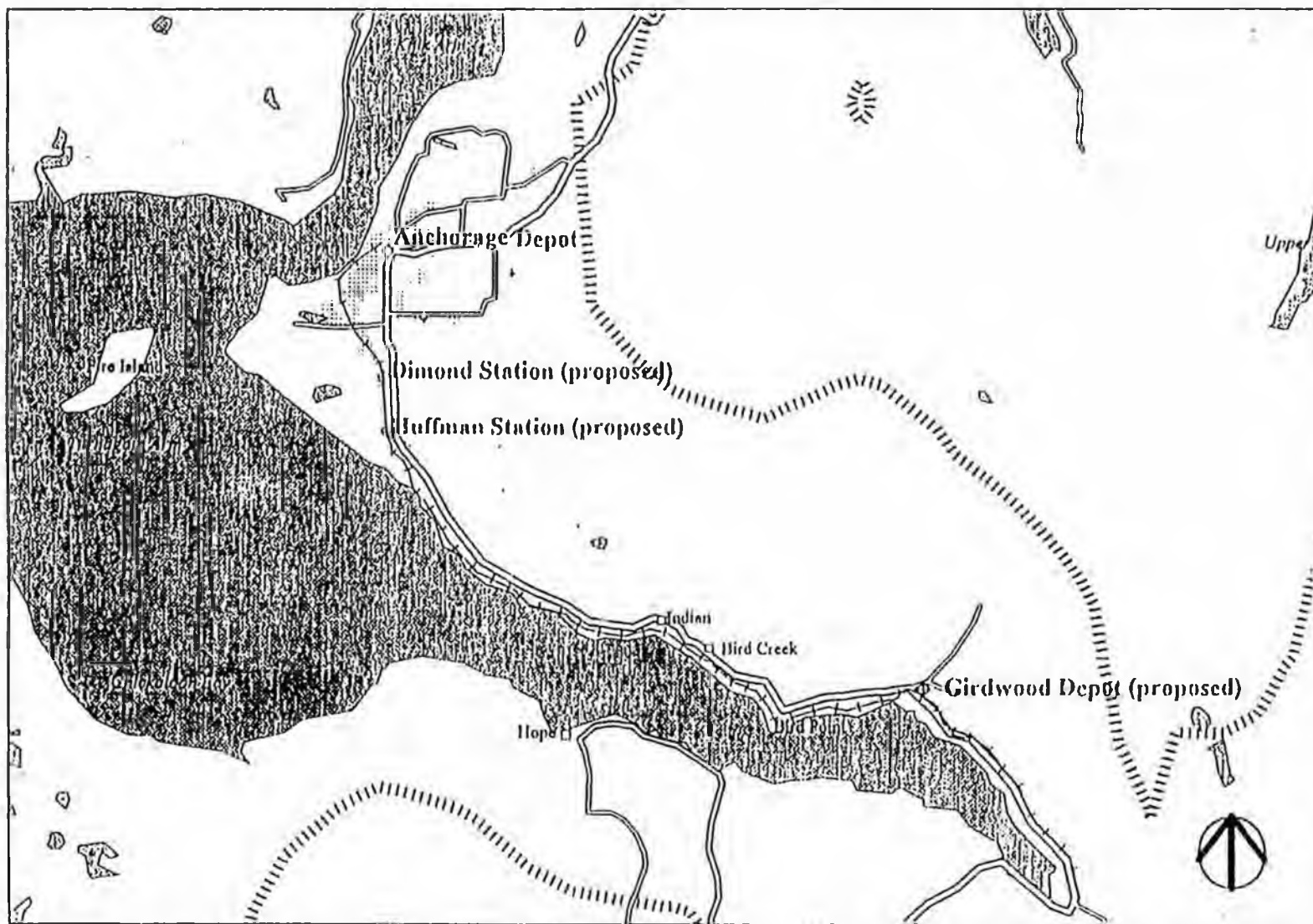
PUBLIC USE AND ACCESS: Chickaloon Flats has long been recognized as an important waterfowl hunting area in Cook Inlet. Fall waterfowl hunters access Chickaloon Flats by floatplane, landing on river channels and larger ponds or arrive by boat from the nearby community of Hope. Four-wheel drive vehicles are also used to access the area along unmaintained pipeline access roads through the Kenai National Wildlife Refuge. Mallards, pintails, wigeon, and green-winged teal are most frequently harvested.

REFERENCES:

- Quimby, Roland L. 1972 Waterbird Habitat and Use of Chickaloon Flats. pp 86.
- U.S. Fish and Wildlife Service. 1985 Kenai National Wildlife Refuge Final Comprehensive Conservation Plan. pp 195.

Figure 1. Area Map

Girdwood Rail Service Feasibility



HRRES - 02/01/95

HB 58 - CHICKALOON FLATS CRITICAL HABITAT AREA

REPRESENTATIVE CON BUNDE, PRIME SPONSOR, stated HB 58 was requested by businessmen from Anchorage who are duck hunters. He said while these people are business, development, and resource oriented people, they are also duck oriented. He explained HB 58 establishes on the Kenai Peninsula, across from Anchorage, a critical habitat area. On a map, Representative Bunde showed that the area encompasses the mud flats below mean high water, follows the meander of the bay, and in a straight line connects the two ends of the meander.

REPRESENTATIVE BUNDE stated Chickaloon Flats is on the northeast side of the Kenai Peninsula, on the Turnagain Arm facing the Anchorage Coastal Refuge and Potter Flats. The area has a local nesting population of ducks and geese. He said the most important use of this area is as a feeding and resting area for migrating ducks, geese, and shore birds. Up to 25,000 birds a day use the mud flats and tidal marsh. He noted this area is often used when Portage Pass is closed due to bad weather. The waterfowl that normally transit the pass need a place to rest and feed. He stressed Chickaloon Flats is the principal place the waterfowl use on Turnagain Arm.

REPRESENTATIVE BUNDE explained the purpose of HB 58 is to assure adequate habitat for waterfowl rather than create a stumbling block for future development of resources. He noted there are currently no valid oil and gas leases in the proposed critical habitat area that would be disrupted by the formation of a critical habitat area. He added there is nothing in HB 58 which would preclude future exploration of this area. He urged committee members to pass HB 58 out of committee.

Number 045

REPRESENTATIVE PETE KOTT agreed with the intent of the bill. He asked Representative Bunde to again review the geographical longitude description.

REPRESENTATIVE BUNDE responded the area goes east to west on the mean high water line (curved line) and then comes straight back in a straight line. Therefore, it is a half moon shape.

REPRESENTATIVE KOTT felt lines 1-3, page 2 are inconsistent with other habitat areas already created. He wondered why the statement "The department shall permit the following public uses to continue without further approval by the department unless the department determines that the use is not compatible with the purposes..." was included in HB 58.

REPRESENTATIVE BUNDE replied the word permit is defined as allow. For example, if there is some huge industrial activity in the area at the peak of migration, that would be incompatible. If it was done three months later when everything is frozen up, it would be compatible.

REPRESENTATIVE KOTT reiterated that the words "without further approval by the department" is not contained in any of the other

critical habitat areas which have been promulgated in statute. He felt the words enumerate concerns for allowances and thought it would be a negative inference in the sense that anything which is not enumerated would then have to be approved by the department.

REPRESENTATIVE BUNDE said the purposes outlined in lines 5-12, page 2, would be allowed without further approval. Department approval would be required for anything beyond those purposes outlined.

Number 091

REPRESENTATIVE JOHN DAVIES thought lines 10-12, page 2, generalize the concept and gives the department a certain amount of flexibility to address Representative Kott's concerns.

REPRESENTATIVE BUNDE said the term "other related uses" falls in the realm of outdoor recreation.

REPRESENTATIVE KOTT said he understands the intent of lines 10-12, page 2. He felt perhaps in line 2, page 2, the words "without further approval by the department" should be eliminated because that verbiage is not consistent with other statutory habitat areas which have been created. He assumed the Alaska Department of Fish and Game (ADF&G) will restrict any uses, either public or oil and gas, which are not compatible with the purpose to protect and preserve habitat areas especially crucial to the perpetuation of fish and wildlife. However, he thought the words left it open in regard to the discretion of the department. The department might place restrictions which in their wisdom do not fall within the clause contained in lines 10-12, page 2.

GERON BRUCE, REPRESENTATIVE, ADF&G, said the recreational activities listed in HB 58 have been ongoing and the sponsor wants them to continue. He stressed these activities are normally allowed in legislatively specially designated areas because they do not pose a threat to fish and wildlife habitat; the protection of which is the critical component in designating the areas. He agreed the activities specified in HB 58 are more detailed than other plans but he felt they are consistent with the way the other areas are managed. Recreational uses of the critical habitat areas, game sanctuaries, etc. are allowed as long as they do not conflict with the protection of the habitat involved.

REPRESENTATIVE BUNDE reiterated that the activities listed are traditional activities and he did not want some future change of administration to decide that if someone wants to hunt in the area, they would have to get a permit. He stressed he did not want these traditional activities to be restricted in the future.

Number 153

REPRESENTATIVE DAVIES made a MOTION to AMEND HB 58 eliminating the word "permit" in line 1, page 2, and substituting the word "allow" and in line 2, page 2, eliminating the phrase "without further approval by the department".

REPRESENTATIVE BUNDE responded that amendment is fine.

REPRESENTATIVE KOTT thought the amendment would be an improvement. He noted, however, the word "permit" has been used in every other statutory creation of a habitat area. He reiterated that the phrase "without further approval by the department" concerned him because it offers a negative inference that if another type of activity not listed would need authorization or approval by the department. An example is three wheeling. He wondered if three wheeling falls within the category as outlined in lines 10-12, page 2.

REPRESENTATIVE BUNDE said at the mouth of the Susitna River there is a critical habitat area and the department has specifically limited the use of all-terrain vehicles to commercial fishermen during the fishing season and to within a quarter of a mile of salt water.

MR. BRUCE stated ADF&G supports HB 58. He noted the Department of Labor estimates that Alaska's population will grow by 40 percent over the next 15 years and a significant portion of that growth will occur in Anchorage. The department believes it is important to establish areas for people to enjoy recreational activities related to Alaska's fish and wildlife. The department also feels it is important to look toward the future and potential growth, so these opportunities will be there for future Alaskans.

Number 220

REPRESENTATIVE SCOTT OGAN asked what the difference is between establishing a critical habitat area and leaving an area as is.

MR. BRUCE responded a critical habitat designation allows the department to manage the area with the primary purpose of protecting habitat critical to fish and wildlife populations inhabiting that area. He added there is a need to ensure that someone coming into the area, wanting to engage in some type of activity does not damage that habitat and degrade it. He noted a critical habitat designation is the most mild form of land use designation and simply elevates fish and wildlife habitat in consideration, but does not preclude other uses.

REPRESENTATIVE OGAN questioned if the Chickaloon Flats area had been explored for oil and gas.

REPRESENTATIVE BUNDE replied the Kenai has been thoroughly examined on a seismic basis. There are no oil or gas leases presently and no leases are contemplated. He also had a discussion with the Alaska Miners and was assured there is no offshore mining potential in the area.

Number 258

DR. JIM SCOTT, REPRESENTATIVE, BIRD LEARNING CENTER, testified via teleconference and said the area being discussed is not a big area, but is an area which people have enjoyed for numerous years. He stressed the most important point is that the area is critical to waterfowl under certain kinds of circumstances. He explained when the need is there, the birds have the opportunity to wait in the area until Portage Pass opens up. Otherwise, a large number of birds may be lost. He added it is ridiculous to think that someone

might put a golf course on the mud flats. He stated it is important to think about the waterfowl and other birds who stage there. He urged support of HB 58.

Number 280

JOHN HENDRICKSON, PRESIDENT, ALASKA WATERFOWL ASSN., testified via teleconference. He said the Chickaloon Flats area encompasses about 22,000 acres and is important for migrating ducks, geese and thousands of shore birds. He noted the establishment of the critical habitat area will be compatible with the Kenai National Wildlife Refuge. He expressed support for the amendment proposed. He stressed HB 58 is an example of legislation which provides careful oversight of the land without any costs involved and no extra employees are needed.

MR. HENDRICKSON stated there is also a significant red salmon run going up the Chickaloon River. Therefore, the oversight and protection is important to commercial and sport fishers. He acknowledged the designation is not to preclude oil and gas exploration and production which he pointed out is done in the Redoubt Bay Critical Habitat Area, Susitna Flats, etc. He felt HB 58 is consistent with the kind of protection already in place. He told committee members the state of Alaska has established, through its legislature, the finest coastal waterfowl habitat and refuge system in the world. He noted there is a thriving duck population which does nest in the area being discussed.

CO-CHAIRMAN WILLIAMS noted for the record that Representative BARNES had joined the committee at 8:25 a.m.

Number 347

ROD ARNOT, PRESIDENT, ALASKA OUTDOOR COUNCIL, testified via teleconference and expressed support for HB 58. He stressed that as the Anchorage urban population continues to grow, these tidal flats become even more critical. The area is particularly important for times when the weather blocks Portage Pass and waterfowl need an area to congregate and rest before going through the Pass. He also expressed support for the amendment.

REPRESENTATIVE KOTT noted the use of campfires has been allowed in the area. If at some point, it is determined that the use of campfires is no longer compatible with the purpose of protecting the habitat, he asked what actions would be taken by the department to notice the public.

MR. BRUCE replied it could be noticed in a number of ways. He said in the beginning, the department would post signs in the area saying campfires are allowed only in certain places or not allowed, etc. He stated it could also be included in the management plan which will be developed for the habitat area and would be available for people to pick up at local ADF&G offices before going to the area.

REPRESENTATIVE RAMONA BARNES asked what type of track record the department has in critical habitat areas in not allowing other uses to continue when they are part of the legislation.

MR. BRUCE felt he could not answer the question on the track record for all the refuges and critical habitat areas since they were established. He thought the general public in Alaska supports the program and enjoys the use of the areas and the wildlife and habitat it protects.

REPRESENTATIVE BARNES said she does not know many Alaskans who support critical habitat areas or the locking up of the land.

Number 428

REPRESENTATIVE OGAN clarified the amendment and stated lines 1 & 2, page 2, will read "The department shall allow the following public uses to continue unless the department..."

CO-CHAIRMAN WILLIAMS asked for a roll call vote on the amendment. Voting in favor of the motion were Representatives Austerman, Ogan, Davies, Kott, Barnes and Williams. The MOTION PASSED 6-0.

REPRESENTATIVE KOTT made a MOTION to MOVE CSHB 58 (RES) out of committee with accompanying zero fiscal notes WITH INDIVIDUAL RECOMMENDATIONS.

REPRESENTATIVE BARNES said she would not object to moving CSHB 58 (RES) out of committee but added she will not support passage of the bill.

CO-CHAIRMAN WILLIAMS asked for a roll call vote. Voting in favor of the motion were Representatives Kott, Ogan, Barnes, Davies, Austerman and Williams. The MOTION PASSED 6-0.

CO-CHAIRMAN WILLIAMS recessed the meeting until 1:00 p.m.

TAPE 95-7, SIDE B
Number 000

CO-CHAIRMAN WILLIAMS called the meeting back to order at 1:10 p.m. Members present at the call to order were Representatives Williams, Ogan, Austerman, Barnes, Davies, Kott and Nicholia. Members absent were Representatives Green and MacLean. He stated there was a quorum present.

B

HOUSE COMMITTEE REPORT

2/3/95

(9)

Date Referred: January 16, 1995

FURTHER REFERRALS:

Finance

Date of Committee Action: 2/1/95

The RESOURCES Committee considered:

HB 58

HOUSE BILL NO. 58

CHICKALOON FLATS CRITICAL HABITAT AREA

"An Act establishing the Chickaloon Flats Critical Habitat Area."

recommends it be replaced with the following committee substitute CS HB 58 (RES) [X] the same title [] a new title

[] additional referral to _____ Committee [] attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date) [] fiscal note(s) [] fiscal note(s)

[X] zero fiscal note(s) ADF+G [] zero fiscal note(s)

Table with 5 columns: SIGNING WITH RECOMMENDATIONS, DP, DNP, NR, AM. Rows include signatures and names like Ogan, Barnes, Austerman, Kott, DAVIES, and williams, with checkmarks in the DP and NR columns.

CO-CHAIR'S SIGNATURE W.R. Williams williams

Alaska Chapter

Waterfowl U.S.A.

3105A Lakeshore Drive • Suite 105 • Anchorage, Alaska 99517
(907) 243-3235

February 7, 1995

FAX TO 465-2418

Representative Mark Hanley
State Capital
Juneau, AK 99811

RE: HB 58 Chickaloon Flats
Critical Habitat Bill


Dear Representative Hanley:

Please support HB 58, the Chickaloon Flats Critical Habitat bill. This area, which is on Turnagain Arm, is on the northeast side of the Kenai Peninsula. The area is especially valuable to ducks, geese and shorebirds that use the area to rest and feed when on migration. There is also local breeding populations of ducks, geese and shorebirds. The local birds tend to be more numerous at Pincer Creek and the Chickaloon River.

This bill will also protect the salmon runs that ascend the Chickaloon River. This is important to commercial, sport and personal use fishermen.

The Chickaloon Flats will remain open for oil and gas production and exploration. Further it will remain open for mineral entry and other traditional uses such as hunting, fishing and camping. We would appreciate your support on this bill.

Sincerely,


C. H. Rosenthal
Chairman-Alaska Chapter
Waterfowl U.S.A.

"Dedicated to increasing our waterfowl resource."

HB

59

HFIN

FILE

REPRESENTATIVE CON BUNDE
CO-CHAIR HEALTH, EDUCATION
& SOCIAL SERVICES
VICE-CHAIR RULES

**Alaska State Legislature
House of Representatives**

DURING SESSION:
STATE CAPITOL, ROOM 108
JUNEAU, ALASKA 99801-1182
1 (907) 465-4843

DURING INTERIM:
716 WEST 4th AVENUE
ANCHORAGE, ALASKA 99501-2133
1 (907) 258-8168

**SPONSOR STATEMENT
CSHB 59 (RES)**

The purpose of HB 59 is to allow qualified organizations to raffle or auction big game permits as a revenue source for game management. A qualified organization which auctions a permit can retain a percentage of the sale plus administrative costs, while the remaining amount will be returned to the state for fish and game activities.

HB 59 authorizes the Dept. of Fish and Game to issue one bison harvest permit each year for a bison from the Delta bison herd. The permit may be auctioned or raffled by a qualified organization on behalf of the Dept. of Fish and Game. The organization is entitled to receive reimbursement for expenses plus up to ten percent of the net proceeds to use for the promotion of fish and game law enforcement, and up to 10 percent of the net proceeds.

This legislation will allow the Department of Fish and Game to issue, through a competitive auction or raffle, up to two harvest permits each year for each of the following species: Dall sheep, bison, musk ox, brown or grizzly bear, moose, caribou, and wolf. The qualified organization that conducts the auction may retain up to ten percent of the profits plus administrative costs. The remaining profit will be deposited into the Fish and Game fund.

There are at least 11 western states that have provisions for auctioning or raffling big game harvest permits. Every state with a similar program has had a positive impact on their budget. This legislation will provide another revenue source for the Dept of Fish and Game and will enable the continuation of game management programs for the common use of the people.

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. CSHB 319

Revision Date: _____
 Title: Regulation of Small Loan and Retail Installment
 Transactions
 Sponsor: House Labor and Commerce
 Requestor: _____

Department: Commerce and Economic Development
 BRU: Banking, Securities and Corporations
 Component: Banking, Securities and Corporations
 COMPONENT SERIAL NO. _____ 1233

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 96) cost: \$ 0.0

POSITIONS

FULL-TIME					
PART-TIME					
TEMPORARY					

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Willis F. Kirkpatrick, Director
 Division: Banking, Securities and Corporations
 Approved by Commissioner: William L. Hensley
 Agency: Commerce and Economic Development

Phone: 465-2521
 Date: 2-5-96
 Date: 2-6-96

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FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. SSHB 75

Revision Date: _____ Dept. Affected: Alaska Court System
 Title: Vehicle Theft BRU: Trial Courts
 Component: _____
 Sponsor: Rep. Sanders
 Requestor: House Judiciary COMPONENT SERIAL NO. 768

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	35.4	35.4	35.4	35.4	35.4	35.4
TRAVEL						
CONTRACTUAL	49.8	49.8	49.8	49.8	49.8	49.8
SUPPLIES	1.5	1.5	1.5	1.5	1.5	1.5
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	86.7	86.7	86.7	86.7	86.7	86.7
CAPITAL EXPENDITURES						
CHANGE IN REVENUES (

Fund Source (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	86.7	86.7	86.7	86.7	86.7	86.7
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	86.7	86.7	86.7	86.7	86.7	86.7

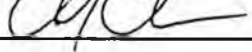
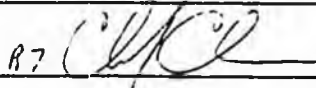
Estimate of any current year (FY 96) cost: None

Positions

Full-Time						
Part-Time	3.0	3.0	3.0	3.0	3.0	3.0
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See attached analysis.

Prepared by: C. S. Christensen III, Staff Counsel 
 Agency: Alaska Court System
 Approved by: Arthur H. Snowden, II, Administrative Director 
 Agency: Alaska Court System

Phone: 264-8228
 Date: 02/05/96
 Date: 02/05/96

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Alaska Court System

Fiscal Analysis

SSHB 75

SSHB 75 removes vehicle theft and joyriding from the criminal mischief statutes, and establishes the crime of vehicle theft in the first degree, a class C felony, and vehicle theft in the second degree, a class A misdemeanor. Most of the conduct which the current law classifies as misdemeanor joyriding is reclassified by SSHB 75 as felony theft.

According to the Department of Law, existing vehicle thefts committed by adults and treated as felonies will increase from 100 to 363, or an increase of 263 felonies statewide (these numbers are based upon actual arrests in FY 95). Handling these as felony cases rather than misdemeanor cases will substantially increase the court costs associated with the offense. A misdemeanor joyriding trial can be expected to last one day and is tried before a six member jury. A felony joyriding trial can be expected to average three days in length and will be tried before a 12 member jury. The extra trial time results from the more serious consequences of a felony conviction; attorneys for both sides spend more time on matters such as jury selection, examination of witnesses, and motion practice. In addition, approximately 30 of these cases can be expected to involve defendants subject to presumptive sentencing because of prior convictions, thus bringing up the average trial time and rate. Unlike most misdemeanor joyriding cases, sentence will not be imposed at the time the guilty plea is entered or the verdict is returned; instead, there will be a separate sentencing hearing. This is less efficient and requires additional court time.

Because of the more serious consequences of a felony conviction, the trial rates can be expected to increase substantially. This note assumes that the trial rate will increase from five percent to ten percent (note that the trial rate for misdemeanor joyriding is generally higher than the trial rate for other class A misdemeanors because of the 72 hour minimum sentence and loss of drivers license associated with the offense).

Unlike misdemeanor cases, felony cases require presentment to a grand jury. SSHB 75 will increase the number of cases presented to grand juries each year by approximately 10 percent. There are also grand jury transcript preparation costs associated with indictments.

Alaska Court System
Fiscal Analysis
SSHB 75

Personal Services

<u>Position</u>	<u>Salary</u>	<u>Benefits</u>	<u>Total</u>
Pro Tem Superior court Judge, 50% vested, Anchorage, PPT, 3 months	\$12,075	\$6,169	\$18,244
In-Court Clerk, range 12A, Anchorage, PPT, 3 months (petit jury trials)	6,777	1,799	8,576
In-Court Clerk, range 12A, Anchorage, PPT, 3 months (grand juries)	6,777	1,799	8,576
			<u>35,395</u>
Increase in Personal Services Costs (net of existing costs)			<u>35,395</u>

Contractual

Increase in petit jury costs:

Estimated number of trials for the crime as a felony:

<i>Estimated number of cases to be filed as a felony</i>	263
<i>Estimated trial rate for crime as a felony</i>	10%
<i>Estimated number of felony trials</i>	26

Estimated jury costs for 26 felony trials using 13 jurors for three days with a jury fee of \$25 a day per juror

25,350

Less estimated number of trials for the crime as a misdemeanor:

<i>Cases filed as a misdemeanor 1995</i>	263
<i>Estimated trial rate for crime as a misdemeanor</i>	5%
<i>Estimated number of misdemeanor trials</i>	13

Estimated jury costs for 13 misdemeanor trials using 6 jurors for one day with a jury fee of \$25 a day per juror

1,950 23,400

Increase in grand jury costs:

Estimated 10% increase in grand jury costs – fees and expenses 21,400

Estimated increase in transcription costs 5,000

Total Increase in Contractual Costs 49,800

Supplies

Cassette tapes, trial forms, juror forms and in-court supplies 1,500

Total Estimated Costs \$86,695

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 5, 1996

SUBJECT: Sectional Summary of CSHB 59(RES); An Act relating to raffles and auctions of certain permits to take big game.

TO: Representative Con Bunde

FROM: George Utermohle *GU*
Legislative Counsel

You have requested a sectional summary of CSHB 59(RES); An Act relating to raffles and auctions of certain permits to take big game.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Section 1 of the bill repeals and reenacts AS 16.05.343.

Subsection (a) authorizes the Department of Fish and Game to auction or raffle one permit each year for a bison from the Delta bison herd. The department is also authorized to have a qualified organization conduct the auction or raffle on its behalf. The qualified organization is entitled to receive reimbursement for its expenses in conducting the auction or raffle, plus up to 10 percent of the net proceeds of the auction or raffle to be used for the purposes for which the organization was established. The remaining proceeds from the auction or raffle shall be deposited into the fish and game fund. A qualified organization is a nonprofit corporation established to promote fish and game law enforcement or an organization established to promote management of hunted game species and use of game populations for hunting, that complies with applicable laws governing activities under this section.

Subsection (b) allows the Department of Fish and Game to auction or raffle up to two harvest permits for seven different game animals. The department may authorize a qualified organization to conduct the auction or raffle on its behalf. If the department chooses to authorize an organization to auction or raffle a harvest permit for a game species, the department must make at least one permit for that game species available to a qualified organization based in the state. A qualified organization that conducts an auction or raffle for the department is entitled to recover the administrative expenses of conducting the auction or raffle and to receive up to 10 percent of the net proceeds. The proceeds of an

Representative Con Bunde

February 5, 1996

Page 2

auction or raffle may not be used to support political candidates, support or oppose ballot propositions, or lobby the legislature or the administration. All remaining proceeds from an auction or raffle must be deposited into the fish and game fund. A person who obtains a harvest permit under this subsection may also obtain a free hunting license and big game tag for the game species for which the harvest permit was received. A qualified organization is a nonprofit organization established to promote management of hunted game species and use of game populations for hunting.

Subsection (c) provides that activities conducted under this section are not subject the laws governing charitable gaming under AS 05.15.

Section 2 of the bill provides that the bill takes effect immediately.

If I may be of further assistance, please advise.

GU:glc

96-087.glc

paragraphs (a)(14) and (a)(15), and added paragraphs (a)(19)-(a)(22); and rewrote subsection (c).

The 1991 amendment, effective June 11, 1991, in item (a)(17)(A)(iii), substituted "and is a resident" for "and has been a resident for at least one year."

The first 1992 amendment, effective July 1, 1993, repealed subsection (f).

The second 1992 amendment, effective January 1, 1993, in subsection (a), increased the fees in paragraphs (1)-(6) and added paragraphs (23) and (24).

Legislative history reports. — For legislative letter of intent in connection with the amendment to (a)(6) of this section by § 1, ch. 28, SLA 1990 (HCS CSSB 30(Fin)), see 1990 House Journal 2733.

Opinions of attorney general. — Construing subsection (d) with federal law (10 U.S.C. § 2671(a)), a member of the military who does not qualify as a resident under AS 16.05.940(20) is required to obtain an Alaska sport fishing license to engage in sport fishing on military lands. 1977 Op. Att'y Gen. No. 21.

Construing AS 16.05.330 and this section with federal law (10 U.S.C. § 2671(a)), a member of the military who does not qualify as a resident under AS 16.05.940(20) is not required to obtain an Alaska trapping license to trap on military lands. 1977 Op. Att'y Gen. No. 21.

The special small game hunting license for military personnel authorized by subsection (d) may not be used for hunting all game (including big game) once the holder achieves resident status. 1977 Op. Att'y Gen. No. 21.

The terms "scientific," "propagative," and "educational" in this statute should be read as addressing purposes similar to those in AS 16.05.050(6), and the term "propagative," in the context of "scientific" or "educational" purposes, does not appear to include the holding of game animals as pets. Apr. 2, 1987 Op. Att'y Gen.

Collateral references. — Constitutionality of state laws which discriminate against nonresidents or aliens as to fishing and hunting rights, 52 L. Ed. 2d 324.

Sec. 16.05.341. Free license for disabled veterans. A person may receive a resident hunting and sport fishing license under AS 16.05.340(a)(5) without charge if the person

(1) has been discharged from military service under honorable conditions, is eligible for a loan under AS 18.56.101, and is certified by the United States Veterans' Administration as having incurred a 50 percent or greater disability during military service; or

(2) served in the Alaska Territorial Guard, is eligible for a loan under AS 18.56.101, and incurred a 50 percent or greater disability while serving in the Alaska Territorial Guard. (§ 1 ch 21 SLA 1982; am § 3 ch 93 SLA 1991)

Revisor's notes. — Enacted as the second sentence of former AS 16.05.340(a)(4). Renumbered in 1982.

Effect of amendments. — The 1991 amendment, effective September 30, 1991,

combined former paragraphs (1) through (3) into present paragraph (1), making punctuation changes, and added present paragraph (2) and made a related stylistic change.

Repealed and reenacted under HB59 (Res)

Sec. 16.05.343. Auctions or raffles for bison harvest permits.

(a) The department, subject to regulations adopted by the Board of Game, may issue one bison harvest permit each year for a bison from the Delta bison herd through a competitive auction or raffle. Notwithstanding AS 36.30, the department may authorize a qualified organization to conduct the auction or raffle on behalf of the department. If the auction or raffle is conducted by a qualified organization, the organization may retain an amount from the gross proceeds of the

auction or raffle equal to the administrative cost of the auction or raffle plus an amount not to exceed 10 percent of the net proceeds. All remaining proceeds from the auction or raffle of the bison harvest permit whether conducted by the department or as otherwise authorized by the department shall be deposited in the fish and game fund under AS 16.05.100.

(b) The exercise of a privilege conferred by a bison harvest permit issued under this section is subject to laws relating to the time, place, and manner of taking bison from the Delta bison herd.

(c) In this section "qualified organization" means a nonprofit corporation established to promote fish and game law enforcement that complies with applicable laws governing activities under this section. (§ 1 ch 30 SLA 1989)

Sec. 16.05.345. Musk oxen. [Repealed, § 4 ch 57 SLA 1980.]

Sec. 16.05.346. Permit applications. (a) If the Board of Game establishes an open season for musk oxen and has not reduced or eliminated the \$500 resident tag fee under AS 16.05.340(a)(16), the department shall conduct a drawing for permits to take the musk oxen. If the Board of Game establishes an open season for musk oxen for which the Board of Game has reduced or eliminated the resident tag fee, the department shall issue permits to take the musk oxen in the order in which applications are received by the department. A person is not eligible for more than one musk oxen permit a year. The department may not charge a fee for an application for a musk oxen permit for an open season in which the Board of Game has reduced or eliminated the resident tag fee under AS 16.05.340(a)(16). In all other cases the application fee for a musk oxen permit is \$10.

(b) The application fee for a drawing permit issued by the department for the hunting of bison is \$10.

(c) Except as provided in (a) and (b) of this section, the permit application fee for all species for which a limited drawing is conducted is \$5. (§ 3 ch 57 SLA 1980; am § 1 ch 118 SLA 1984; am § 1 ch 5 SLA 1992)

Revisor's notes. — Enacted as AS 16.05.345. Renumbered in 1980.

Effect of amendments. — The 1992 amendment, effective April 3, 1992, deleted "in the Delta Junction bison range area" following "hunting of bison" in subsection (b).

Editor's notes. — Section 2, ch. 118, SLA 1984, which repealed and reenacted this section effective August 1, 1989, was repealed by § 2, ch. 149, SLA 1988.



ALASKA OUTDOOR COUNCIL, INC.

P. O. BOX 22394

JUNEAU, AK. 99802

(907) 463-3830

Mar. 3, 1995

The Honorable Con Bunde
Alaska State House
State Capitol
Juneau, Ak. 99801

Dear Representative Bunde:

The Alaska Outdoor Council has once again taken a position supporting your legislation on raffles and auctions of certain big game permits. We feel this legislation will accomplish a variety of goals for wildlife, wildlife management, and those organizations which support wise use of those resources.

We are especially pleased with the increase in funding your bill will allow the wildlife safeguard program. This is a vital and worthwhile program which we hope to see continued. The ability of safeguard to generate sufficient funding levels for their programs will be greatly enhanced by the amendment to their funding formula your legislation makes.

We also feel the language which allows for at least one permit of for the harvest of a species to go to an organization based in the state to be of importance. This will allow some of Alaska's own conservation organizations to participate. There are several groups whose membership will be able to financially benefit the Department and conservation efforts throughout Alaska with the inclusion of this provision. It will also assist in building a good working relationship between the Department and consumptive use conservation groups.

Once again, we would like to express our appreciation over your efforts on this and other important issues to Alaska's outdoor users.

Sincerely,

Eddie Grasser
Legislative Affairs